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Tuesday, May 6, 1975
Vaisakha 16, 1897 (Saka)

LOK SABHA DEBATES

(Thirteenth Session)

(Vol. LII contains Nos. 41-49)

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(Fifth Series, Volume LII, Thirteenth Session)

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LOK SABHA

Tuesday, May 6, 1975/Vaisakha 16, 1897 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Assets of Philips India Limited

*894. SHRI VAYALAR RAVI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total assets of Philips India Ltd., at present and when it started operations; and

(b) how many times has it been permitted to raise capital and the details of each case?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA BRATA BARUA): (a) and (b). A statement is laid on the Table of the House.

Statement

(a) As per the latest balance sheet of the company as at 31-12-1973 the assets of M/s. Philips India Ltd. amounted to Rs. 41.79 crores. The company was incorporated in 1930 and its assets as per the earliest balance sheet aailable in the Department i.e., as at 31-12-1955 amounted to Rs. 3.05 crores.

(b) According to the information furnished by the Ministry of Finance the company was granted consent by the Controller of Capital Issues for raising capital nine times. The details are given below:—

No.	Date of CCI's consent		Amount consented	
1	2		3	
			Rs.	
1.	28-9-49 . .		15,00,000	by way of Bonus Issue (Ratio 3:2)
2.	21-10-57 . .	(i)	25,00,000	by way of bonus Issue (Ratio 1:1)
		(ii)	1,20,00,000	For cash to Holland Co. at a premium of Rs. 2/50 per share of Rs. 10/- each.
		(iii)	50,00 000	For cash to Indian public at a premium of Rs. 2/50 per share
3.	31-11-64 . .	(i)	10,00,000	To Holland Company.
		(ii)	30,00,000	To Indian shareholders on rights basis (Ratio 3:5) The entire issue of Rs. 40,00,000/- at a Permium of Rs. 6/- per share.
4.	30-9-66 . .		1,04,00,000	by way of Bonus Issue (Ratio 2:5)

1	2	3
5. 25-11-66 . .	1,50,00,000	Debenture Stock Issue.
6. 9-4-70 . . .	1,82,00,000	by way of Bonus Issue (Ratio 1:2)
7. 22-1-72 . . .	4,46,457	Creation of first legal mortgage in favour of ICICI in respect of foreign exchange loan equivalent to Rs. 4,46,457/-
8. 5-2-72 . . .	1,33,00,000	(i) Rs. 29,40,000/- to Holland Co. (ii) Rs. 42,00,000/- to existing Indian shareholders as rights (Ratio 1:4) (iii) Rs. 9,24,000/- to Indian Directors and Employees of the company. (iv) Rs. 52,36,000/- to Indian public through prospectus.
9. 4-11-74 . . .	6,79,00,000	by way of a Bonus Issue (Ratio 1:1)

The company's share capital stands now at Rs. 1358.00 lakhs of which Rs. 1005.00 lakhs is by way of capitalisation of reserves and issue of bonus shares. 60 per cent of the total capital is held by the Holland Company.

SHRI VAYALAR RAVI: It is very clear from the statement that the Company's assets which were Rs. 3.05 crores in 1955 have gone up to Rs. 41.79 crores in 1973. Also, some other answers given by the Ministry of Commerce show that the holding company has increased its production by backdoor methods, defeating the regulations laid down, and increasing its assets as well as capital. So, I would like to know why you have allowed the increase in the share capital or the issue of new shares, and whether you have taken into consideration the unauthorised increase in production capacity and accumulation of wealth in this country.

SHRI BEDABRATA BARUA: So far as the issue of share capital is concerned, this is done by the Controller of Capital Issues in the Ministry of Economic Affairs, and this has been allowed over a period of years, from 1949 onwards, and even earlier to 1949. They have raised their capital and it has no relation with their production above their licensed capacity. For that, the Ministry of Industrial Development is concerned. I remember to have heard the Minister of Industrial Development replying to Mr. Ravi last week when he said that he would take this matter into consideration and try to do whatever is possible. I can only say that this Ministry is concerned with expansion with permission, only when expansion is applied for. Since it is a dominant undertaking in the production of lamps and other things, their applications come and one application has been received which is under consideration.

SHRI VAYALAR RAVI: My question was very specific. Their share capital has gone upto Rs. 41 crores. They have violated the M.R.T.P. Act. Have you considered that aspect while allowing expansion in their share capital?

SHRI BEDABRATA BARUA: There is the M.R.T.P. Act. When it is found that the M.R.T.P. Act is violated, the punishment and the penalties are provided. This is a particular matter which happened even before coming into force of the M.R.T.P. Act. This has happened over a number of years.

SHRI VAYALAR RAVI: How have you allowed expansion of their share capital?

SHRI BEDABRATA BARUA: As I have already said, it is the Controller of Capital Issues who allows the expansion of the share capital. So far as expansion is concerned, they have huge reserves, whenever they have wanted to capitalise their reserves under rules and regulations, they are allowed to capitalise their reserves and issue the bonus shares. They did that.

SHRI S. M. BANERJEE: I want to know whether it is a fact that the Philips India limited had their licensed capacity of manufacturing 8 million lamps and that they were quietly manufacturing over 20 million lamps which probably the Government has regularised. They started manufacturing over 20 million lamps without the Government's permission. Later on, I do not know who is the concerned Ministry, whether this Ministry or that Ministry or the other Ministry—there are three Ministries concerned—which actually regularised it.

I also want to know whether they gave an undertaking that they will export 75 per cent out of their expansion which was granted, not out of their production, and that they have not exported anything whereas a small concern, like Mazda, is exporting 20 per cent of their production, of their manufactured articles. I would like to know why these concessions have been given to the Philips India Limited. I want to know whether an inquiry will be instituted to go into the various mal-practices committed by this firm. They have got, the strongest Lobby in the country. So, I want to know whether an inquiry will be made into all this, why this expansion has been regularised and why no action has been taken when they have failed to export anything.

SHRI BEDABRATA BARUA: It is true that they have expanded their capacity. They have expanded production from 8 million to 20.8 million of GLS lamps. In the case of fluorescent lamps also, as against their installed capacity of 1.5 millions, they have increased the production to 3.3 millions. So, the total comes to about 24 millions as against the licensed capacity of 9.5 millions. The hon. Members, Mr. Ravi and Mr. Banerjee, know that this matter pertains to the Ministry of Industrial Development. I have already explained the position. The Minister of Industrial Development also has explained the position.

SHRI S. M. BANERJEE: Sir, on that day, when the question put by Mr. Ravi was being answered by the Minister, it was said that some of the retired Government officers were on the pay-rolls. You disallowed that by saying that this did not concern that Ministry. Where are we to go? They have got the strongest lobby in the country. You find them in the Udyog Bhavan, in every Bhavan. I would like to know what action has been taken against them on their illegal expansion. This was illegal expansion They did it secretly or otherwise with the connivance of some officers. What action has been taken on that?

SHRI BEDABRATA BARUA: The Minister of Industrial Development has already explained that he would look into it.

SHRI VAYALAR RAVI: You are pleading helplessness. This is a foreign firm and they are killing the Indian companies. So many companies are suffering....(*Interruptions*).

MR. SPEAKER: Order, please. He has already replied.

SHRI BEDABRATA BARUA: So far as expansion is concerned, it is up to this House to demand and it is for the Minister of Industrial Development to go into this question, (*Interruptions*)

SHRI S. M. BANERJEE: You may refer this to PAC or EC, to whichever Committee you think proper.

MR. SPEAKER: This is a general question.

SHRI BEDABRATA BARUA: The Minister of Industrial Development has said last week that some of the foreign companies have expanded beyond their capacity and he has also said that he would consider some sort of action

SHRI D. N. TIWARY: May I know whether the Government is aware that, due to this surreptitious increase in the expansion of these companies, the Indian companies are suffering and if so, what steps have been taken to see that those companies which can produce and which are not allowed to produce through surreptitious increase in the capacity of these companies, are allowed to produce?

SHRI BEDABRATA BARUA: This question was answered earlier also. Before the Monopolies Commission, the Indian lamp manufacturers did protest and they said that this company had become dominant and, so, its expansion should not be allowed. We are taking notice of all these things while considering expansion.

MR. SPEAKER: I find that the same question is being repeated again and again.

PROF. MADHU DANDAVATE: While replying to the earlier question by Mr. Vayalar Ravi, the hon. Minister has said that, though there has been expansion beyond the licensed capacity in the case of Philips Ltd., this expansion was, as he rightly described it, prior to the formation of the MRTP Commission and the Act. Can he make the plea that, because certain violations had taken place prior to the setting up of a particular institution, they cannot be taken cognizance of? In that case, can we say that, because the Supreme Court was set up in 1950, whatever violations had taken place earlier should not be taken cognizance of at all by the Supreme Court?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I do not think my colleague said anything of that type. What he said was, some of these expansions which were granted—in fact, we frankly confess—were carried out beyond the permitted capacity. This is a matter which pertains to the Ministry of Industrial Development, and the Minister of Industrial Development himself has said in this House that he will look into the matter. 'Prior to the setting up of the Monopolies Commission' was mentioned only to point out that the monopolies angle, examination by the Monopolies Commission, at that time did not come in. After that, every time when a proposal for expansion was made, it was looked into from the monopolies angle. In fact, two cases have been referred to the Monopolies Commission, their report has been received and the report is under consideration. Therefore, that is the only reason why he said 'prior to the setting up of the Monopolies Commission'.

Views of Indian Drug Manufacturers Association on Recommendation of Hathi Committee on Foreign Drug Companies

*895. SHRI N. E. HORO:
SHRI BHOGENDRA JHA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Indian Drug Manufacturers Association, which oversees the interest of wholly Indian owned companies, has complained that the Hathi Committee's recommendations will strengthen the interest of foreign drug companies;

(b) if so, the facts regarding the benefit to the foreign companies as they had more resources than Indian companies; and

(c) the way out, if any, Government have found out by encouraging Indian Companies to run smoothly?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) to (c). A statement is laid on the Table of the House.

Statement

(a) and (b). The Chairman, Indian Drug Manufacturers Association has sent a copy of his press release on the reactions of IDMA to various news items appearing in the Press regarding the recommendations of the Committee on Drugs and Pharmaceutical Industry. It is proposed to lay the Report on the Table of the House during this Session.

(c) Government have already taken the following measures to regulate the activities of foreign drug firms and encourage the growth of the Indian Sector of the Industry:—

(i) Indian sector of the industry is given preference in the approval of the manufacturing schemes.

(ii) Manufacture of increasing number of bulk drugs through public sector.

(iii) Industrial licences are usually not issued to foreign firms for producing formulations unless linked with the production of Bulk Drugs

(iv) Foreign firms are asked to take up production of bulk drugs from more basic stages and to make available a suitable portion of their bulk drugs production to non associated formulators in the country as a condition or for being permitted expansion in capacity or for taking up new activity. Appropriate export obligations are also imposed.

(v) Increasing number of imports of bulk drugs and intermediates are canalised through the STC, which now constitute over 60 per cent of the total import of bulk drugs and drug intermediates.

(vi) Progressive reduction of foreign equity participation with corresponding increase in the Indian share holding is imposed when they are allowed expansion of their manufacturing activities.

(vii) All non residents, branches of foreign companies operating in India and Indian companies having more than 40 per cent non-resident share holding are required to obtain the approval of Reserve Bank of India for opening new branches, carrying on new as well as existing activity etc.

SHRI N. E. HORO: The statement does not categorically say that the Hathi Committee's recommendation would not strengthen the interest of foreign drug companies. I would like to to know, in view of the fact that the Committee has recommended for the regularisation of illegal COB licences and permission letters issued to the foreign companies, what steps Government would like to take towards protecting the interests of the Indian firms

SHRI K. D. MALAVIYA: Some of the steps the Government are going to take to protect the Indian sector have already been indicated in the statement that has been laid by my Ministry here of which the hon. Member is aware. But the implications of the recommendations made by the Hathi Committee also are so wide, so important and fundamental for the development of the phormaceutical and drug industry that we have to make a deeper study before committing the Government to certain recommendations That is why our colleague said that the report will be laid on the Table of the House in this session so that hon. Members may get an opportunity to study the report carefully and also enable the Government to get some more time to consider it and after that, the report can very well be discussed here in order to reach conclusions The object is first of all to develop the public sector—there are certain difficulties in it which we are studying—then to develop the Indian sector and then to put restrictions as far as possible and in national interest on the foreign sector which has been making undoubtedly large profits on formulations which we are aware of All these questions have got to be very carefully considered so that we may not feel any shortage of

essential drugs in the name of this idea or that idea. Therefore, we have to make a very healthy balance between these three sectors in order to reach a conclusion where the country is not short of essential drugs.

SHRI N. E. HORO: Is the Government aware that some leading pharmacists and physicians have expressed their apprehension that in this effect of socialising our drug industry, the quality control will suffer and especially, in respect of those medicines which are very essential and life-saving. I would like to know what the Government is going to do about this. Are they aware of the danger that our experts have expressed so that in our zeal for socialising our drug industry, the quality control does not suffer and that our people get quality medicines, especially life-saving and essential medicines?

SHRI K. D. MALAVIYA: It is precisely for these reasons that I said that the report has to be very carefully examined by the hon. Members as well as the Government and that we are going to place it on the Table of the House.

But, with regard to socialisation of essential drugs, as I said, the Government have taken some general decisions on the basis of which many essential drugs are now being controlled by the public sector units. I would invite the hon. Member to go and see our Hardwar and Rishikesh plants and I am sure he will be convinced that all the latest production measures are taken and the plant is working so efficiently that any international organization will give it the cleanest chit. There is no danger of a downfall of the efficiency level of all those drugs which are being manufactured in our plants.

SHRI BHAGWAT JHA AZAD: While complimenting and agreeing with the Minister that the Rishikesh plant is upto the international standard, I want to know why do Government permit the bulk drugs produced by the public sector to go into the hands of foreign firms to produce non-essential formulations. What does the Minister want to tell us to study? Is it not a fact that these foreign firms are charging prices in the Indian market eight to eight thousand times the prices that are prevalent in the European market? Is it not a fact that the Consumers' Association of America has gone to the court against these foreign drug manufacturers? I want to understand what does Mr. Malaviya and his Ministry want us to understand and study deeply. Is it not true that they are charging heavy prices? Is it not correct that they have made huge profits? What do you want us to understand? What do you want us to study? To study how they are fleecing the Indian consumer.

SHRI K. D. MALAVIYA: The sentiments expressed by my hon. friend are very much appreciated. The facts are also undeniable that the formulators are charging extraodinary profits on certain bulk which they are getting from the public sector. There is no doubt about it. There are other complicated factors which are coming. It is precisely on this account that the Hathi Committee was constituted and they have done very good work. We see, as we read the report, there are many interesting recommendations which I could stand up and just now say we accept. Some of them have been accepted. There are more than 200 recommendations made by the Hathi Committee, which have repercussions all over very comprehensively. I would beg of the House to give Government some time so that they may read and come to a purposeful conclusion which is in national interest and in public interest and which could prevent foreign manufacturers from making huge profits which has been indicated by the hon. member.

श्री नाथ राम महिरवान : माननीय सदस्य, राज्य मंत्री महोदय ने बतलाया कि पब्लिक सैक्टर में जो हमारे औषधियों के कारखानें चल रहे हैं, वे बहुत अच्छा

उत्पादन करते है, अच्छी दवायें बनाते हैं क्या ये दवायें उन लोगों के लिये हैं जिनके पास अधिक पैसे है या उन लोगों के लिये, जो गरीब है, देहात। क्षेत्रों मे रहते है, मिलावट की दवायें खा कर अपनी जीवन लीला समाप्त करते है, ऐसे लोगों के लिये क्या आम सस्ती दवाओं का इन्तजाम भी कर रहे हैं ऐसे लोगों के लिये आप क्या कर रहे है ।

श्री के० डी० मालवीय यह मामला दवा बनाने वालों के हाथ में नहीं है । हमारे यहां पब्लिक सैक्टर मे अब दवाई बहुत सस्ती बनने लगी हैं, जो दवा फोरन फार्मूलेटर की 40 पैसे की मिलती है, उसे हिंदुस्तान दवा हमारे कारखानों में 10–15 पैसे में बनने लगी है । लेकिन दवा डाक्टर्स प्रेस-क्राइब करते है और डाक्टर आम तौर पर गांवों मे कम जाते हैं । हम प्रयत्न कर रहे हैं कि कुछ ऐसी दवायें बनें–ऐसी 117 दवायें हमारे सामने अध्ययन के लिये है–जिनकी सुविधा हम ज्यादा से ज्यादा गांवों का देना चाहते हैं । लेकिन दिक्कत यही है कि दवा डाक्टर लोग देते है, अगर हमारा लोग देने लगे तो झगड़ा बढ़ जायगा । इसलिये दवा दे कौन प्रश्न यह कौन–इस पर कमेटी विचार कर रही है और यह विचार करना जरूरी है ।

SHRI V. MAYAVAN: Is it a fact that mass consumption drugs are sold at higher prices? What is the Minister going to do to reduce the prices of mass consumption drugs?

MR. SPEAKER: The question was about the Hathi Committee's recommendations and the benefit to foreign companies when it goes to the stage of prescription and all this. I thought the Minister is an all rounder. He did not look at me whether it is relevant or not. He started replying to him. Now he is asking another question out of that.

SHRI K. D. MALAVIYA: Sometimes I see to you to seek protection. But when I feel I should answer the question. I do not look at you.

MR. SPEAKER: When you differ with me?

SHRI K D. MALAVIYA. I seek your protection.

Appeals filed by Government and Expenses incurred on Writ Petitions

*901. SHRI DINEN BHATTACHARYYA.

SHRI KRISHNA CHANDRA HALDER

Will the Minister of RAILWAYS be pleased to state

(a) whether appeals have been filed by the Government of India against the decision of the Calcutta High Court in favour of the Railway employees who were dismissed or removed from the service during the last Railway strike;

(b) expenses incurred by the Railway Board or different Railway Board or different Railway administrations in connection with the Writ Petitions filed by the employees in the Calcutta High Court and in appeals filed by Government against the employees, and

(c) names of the Counsel engaged and what fees have been sanctioned for them and have already been paid?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) Yes Sir, except in respect of cases of employees of Chittaranjan Locomotive Works.

(b) Rs. 88,000 approximately.

(c) The names of Counsels engaged are given in the statement attached. Fees to the extent of Rs. 62,000 approximately have been sanctioned/paid so far.

Statement

	Name of counsel	Railway Administration who engaged the Counsel.
1.	Sh. F. S. Nariman, Addl. Soliciter General of India	Eastern Railway
2.	Sh. S. D. Banerjee	Eastern Railway, S.E. Railway, N.F. Railway C.L.W.
3	Sh. D. N. Das	Eastern Railway C.L.W.
4.	Sh. P. K. Ghosh	Eastern Railway
5.	Sh. A. K. Basu	S. E. Railway, N. F. Railway
6.	Sh. Samar Banerjee	C.L.W.
7.	Sh. B. P. Banerjee	C.LW.
8.	Sh. Somen Bose.	C.L.W.

SHRI DINEN BHATTACHARYYA: This question was shifted from 15th of last month and in the mean time we expected that full reply will be given by the Minister which has not been done. I do not understand this. What Is the meaning of shifting the question to an other date so that to Minister may be equiped to answer the question? So, my first point is this: How many employees are involved in these appeal cases?

SHRI BUTA SINGH: The question relates to only appeals against the decision given by the high courts and not about number of employees.

SHRI DINEN BHATTACHARYYA: Gujarat high court employees won the case. Calcutta employees won the case. After 1 1/2 months he is coming and saying this. Naturally the question of employees will arise.

MR. SPEAKER: What he understands from the question is, you did not ask the number of employees.

SHRI DINEN BHATTACHARYYA: It is obvious. They know how much they have paid; but they don't know how many cases are there! That is strange.

MR. SPEAKER: Have you any idea about it?

SHRI BUTA SINGH: I would be prepared to give the information later on. But, at the moment, if you permit me, to go through the question, it is only about the cost involved in going on appeals, not about the number of employees. That is my submission.

SHRI DINEN BHATTACHARYYA: I know it is inconvenient for you to reply to these questions because in all the high courts you have been defeated. So, my question is this. When you are spending so much money (more han Rs. 80,000 or so) why don't you settle these cases on the basis of the judgment given by the high courts? what is the harm in it? Why do you spend so much of public money for going to the Supreme Court and for giving it to the layers like this?

SHRI BUTA SINGH: The question at issue is not our intention to implement judgments given by various high courts. But as you will kindly see, the question at issue is that the judgments of the various High Courts have not been uniform and of a uniform pattern. That is the point here. What we want is that we should

obtain judgment on the question of the validity of the procedure to be followed in the application of rule 14(2). That is why we are trying to have a uniform pronouncement on the question of the validity of the rules.

SHRI DINEN BHATTACHARYYA: Validity of 14(2) is not involved. You kindly go through your records.

MR. SPEAKER: He is giving you the facts.

SHRI KRISHNA CHANDRA HALDER: Mr. Speaker, Sir, is it not a fact that judgments have been given by the Kerala, Gujarat and Andhra High Courts on the same lines and these employees got the judgments in favour of the railway employees even in the appellate court in Gujarat? I want to know why the Government is not giving at least some respect to the judiciary? Government is appealing against those judgments and thus paying only scant respect to the judiciary whenever they declare Government action as *ultra vires* or unconstitutional. How can the Government force the private sector when it is itself not accepting the award of the High Court? I want to know whether all the employees will be taken back to their services and no further expenditure will be incurred. Sir, I want to know categorically from the hon. Minister whether Government is going to withdraw the appeals from the Supreme Court and respect all the judgments of the honourable High Courts of Gujarat, Calcutta, Kerala and Andhra Pradesh

SHRI BUTA SINGH: Sir, it is a fact that the Gujarat High Court has given a verdict which is not favourable to the Railways. But, Sir, it may not be possible for the Administration not to go to the Supreme Court. As I have mentioned, different High Courts have so far pronounced their verdict differently. What we want is a definite verdict on the uniformity of the application of Rule 14(2). So far as the question of taking back of the railway employees is concerned, the Board, in so many cases, reinstated the employees by stating definitely that we have no option but to take them back.

But, as I have mentioned, the only point at issue is that we want to have a final pronouncement of the Court on the application of Rule 14(2).

SHRI S. M. BANERJEE: It appears from the reply given by the hon. Deputy Minister for Railways that they are likely to go to the Supreme Court. About this particular case, my supplementary is relating to the assurance given by the hon. Minister for Railways, Shri Kamlapati Tripathi in his budget speech when he said that all cases would be decided expeditiously. I want to now whether this sort of approach of the Board is something like Shylock asking for a pound of flesh from the railway employees. Sir, they are spending Rs. 82,000 or so for the cases by paying one Shri S. D. Banger a sum of Rs. 5,000 as his fee per day.

I would like to know from the hon. Minister whether he would reconsider all those cases and see that either the judgments of the High Courts are implemented or the Government withdraw the cases and settle the cases. I am sure that in none of these cases sabotage is involved. I would appeal to the hon. Minister to kindly give his reply on the assurance given by Shri Tripathi.

SHRI BUTA SINGH: Whatever has been said by the hon. Minister we are definitely implementing it. As just now said, our attitude is not against the railway employees. The point at issue is this. We want a clear judgment from the highest Court of the country on the application of Rule 14(2) under which the disciplinary action was taken. As for the assurance given by the hon. Minister, namely, where there are no cases of violence and intimidation involved, we are taking a more sympathetic attitude towards them.

SHRI S. M. BANERJEE: Mr. Speaker, I seek your protection. My question is about the judgments given by various High Courts against the Railway Board. I want to know whether they would implement the judgments.

MR. SPEAKER: The reply does not suit you. I think the Minister is only asking for a uniform opinion from the Supreme Court.

PROF. MADHU DANDAVATE: The hon. Railway Minister, while replying to a question on the floor of the House said that the cases of violence including intimidation were 440. It is obvious that the rest of the cases did not involve violence, sabotage and, even, of intimidation.

With this background in view, will a very sympathitic attitude be taken, particularly, by Shri Tripathi in recommending reinstatement of almost all the victimised workers which will be in tune with the general approach and, will he respect the judgments of Andhra Pradesh, Kerala, Gujarat and Calcutta High Courts and honourably withdraw all the cases and end the matter once and for all?

THE MINISTER OF RAILWAYS (SHRI KAMLAPATI TRIPATHI): Well, Sir, the cases went to the High Courts—the workers went to the High Courts and they have filed writ applications. On that there are differences in the judgments of High Courts—Gujarat High Court has said something, Calcutta High Court has said something. Now, what have we got to do with regard to Rule 14 (2). The question of its procedure and the validity of our taking disciplinary action is all questioned in the High Court. Somebody said 'You can do it'. Some Courts say 'You cannot do it'. Some say 'Why don't you communicate the reasons?' Then, we have to go to the Supreme Court to get a verdict from the Supreme Court on the uniformity of these orders.

PROF. MADHU DANDAVATE: Without prejudice to your right, you can drop the cases.

SHRI KAMLAPATI TRIPATHI: We did not to go to the High Court. They went to the High Court and filed their writ petitions.

MR. SPEAKER: I would request you not to enter into...

SHRI SOMNATH CHATTERJEE: I will only draw the attention of the hon. Minister...

SHRI N. K. P. SALVE: Let us go to the next question.

SHRI SOMNATH CHATTERJEE: This is a matter which involves thousands of people. Why is Mr. Salve so impatient? You do not want these people to get back their jobs?

MR. SPEAKER: Both of you are concerned more with the legal implications than with the subject. Mr. Salve is a legal expert also. This matter is caught between two lawyers. What can we do?

SHRI SOMNATH CHATTERJEE: Sir, in Chittaranjan, the employees of Chittaranjan Locomotive. Works won their writ petition in the High Court. The Railways did not go on appeal against those employees—about 36 or 38, if I am not mistaken. There is now an excellent atmosphere prevailing in Chittaranjan Locomotive Works. Everybody admits it. The work is going on very well. The workers won their writ petition and no appeal has been filed. Similarly, in regard to other matters, to bring about a proper atmosphere in the railways' working, why don't you take back these employees? If you want a decision from the Supreme Court with regard to the scope and interpretation of 14(2), for future application, you can take a token case there. It is not necessary that all the employees should be involved in legal proceedings. If you want to get a decision of the Supreme Court for future guidance, if your intention is not to apply this against so many employees and involved them in litigation, take one case there, make one of them

the scapegoat if you want to do so. But, so far as others are concerned, withdraw the proceedings.

SHRI BUTA SINGH: Sir, it is not true that we want to make anybody a scapegoat. The question is that even the judgement delivered by the Gujarat High Court, the latest judgement has not come to us so far. I am stating a fact. A copy of the judgement has not come to us. Unless we are posted with all the facts, it will be difficult for us at this stage to say that we can drop all these cases and take only one test case. Even then, Sir, I take this as a suggestion.

Report of the Hathi Committee

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*902. SHRI BHALJIBHAI PARMAR:
SHRI D. P. JADEJA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the salient features of the recommendations of the Hathi Committee; and

(b) whether Government propose to lay the report of this Committee on the Table of the House during this session?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) and (b). Government propose to lay a copy of the Report of the Committee on Drugs and Pharmaceutical Industry during this session.

SHRI BHALJIBHAI PARMAR: Sir, one of the main and salient features is illegal issue of permission letters and COB licences by officials namely, Dr P. R. Gupta., Dr. B. Shah and Shri V. Rajagopalan who has been issuing and processing these permission letters during the last more than 15 years dealing in drugs only. Will the Government order an enquiry and remove these officials immediately otherwise, they will not allow this Hathi Committee report to be implemented.

MR. SPEAKER: Mr. Parmar, the simple question was about the salient features and when is the report going to be laid on the Table of the House. It has come in this House a number of times. But, if your supplementaries are already ready, I cannot help it. You brought them ready-made. Anyway, I do not come in between you and the Minister.

SHRI K. D. MALAVIYA: Sir, I have answered.

MR. SPEAKER: I only want you to do whatever you like. Either you repeat...

SHRI K. D. MALAVIYA: I always try to do whatever you want me to do

MR. SPEAKER I want you to do whatever you like.

SHRI K D. MALAVIYA· But, there are some constraints which bind both of us, both the Speaker and myself What can I do? The Report is to be laid on the Table of the House.

MR. SPEAKER: I advise the member to wait till it is laid on the Table of the House.

SHRI K. D. MALAVIYA· You are quite right.

MR. SPEAKER: He has accepted it.

Survey to Assess Ticketless Travelling in Railways

*903. SHRI R. N. BARMAN· Will the Minister of RAILWAYS be pleased to state:

(a) when an official survey to assess the extent of ticketless travelling in Indian Railways was undertaken by Government;

(b) what was the leakage of revenue found at that time;

(c) why no further survey was undertaken since then; and

(d) when Government propose to undertake the next survey?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (d). A statement is laid on the Table of the Sabha.

Statement

(a) A survey was conducted in 1967-68.

(b) On the basis of survey conducted during 1967-68 the loss on account of ticketless travel was estimated to be of the order of Rs. 20—25 crores annually.

(c) and (d). Another survey was conducted from June, 1973 to September, 1974 which revealed that the extent of ticketless travel had come down. But this survey was vitiated due to cancellation of trains, Railway strike and disturbed law and order situations in certain parts of the country. A fresh survey is proposed to be conducted soon.

SHRI R. N. BARMAN. What is the total amount realised as fine and fare from ticketless travellers during 1974 and what is the total number of persons awarded punishment?

SHRI BUTA SINGH: If he wants the figure for all the Railways in India, for 1973-74, it is Rs. 2,09,12,731

SHRI R. N. BARMAN: Do Government propose to depute regular checking staff for checking ticketless travellers in the suburban railway in Calcutta where a large number of daily passengers travel without tickets?

SHRI BUTA SINGH: Yes, we have a proposal to have a central checking staff for conducting a special drive to discourage ticketless travel.

SHRI P. G. MAVALANKAR: What is the expenditure incurred on each such survey to find out as to how much money is lost because of ticketless travel? On the basis of past surveys, have Government taken any action to implement the machinery for finding out ticketless travellers by employing voluntary workers, youths, students, social workers etc., apart from Government's own staff? Also, are there some areas in the country where ticketless travel is almost a permanent phenomenon?

SHRI BUTA SINGH: No special expenditure was incurred. Only a central checking squad picked up from various Railways was constituted by the Railway Board. They are regular employees of the Railways. So, no special recruitment was made for the purpose and no special expenditure was incurred.

As for the question of voluntary help, there is already a Standing Committee with the Railway Board called Voluntary Help Committee which in co-operation with the State Governments and State voluntary organisations also assists the Railway administration in checking ticketless travel.

The last exercise was done in almost all the Railways. The areas which are highly prone to ticketless travelling are those covered by the Central Railway, Eastern Railway and part of North-Eastern Railway. If you want me to read the sections, it is a long list.

PROF. MADHU DANDAVATE: Name the States.

SHRI P. G MAVALANKAR: Which are the States affected? (*Interruptions*).

SHRI BUTA SINGH: The States involved are Assam, Bihar, Orissa, West Bengal, Maharashtra and Madhya Pradesh. (*Interruptions*)

SHRI BISWANARAYAN SHASTRI: May I know whether the previous survey had pinpointed the clear reasons and the loopholes for ticketless travel, and whether Government have taken concrete steps to plug those loopholes?

SHRI BUTA SINGH: The report submitted by the special checking staff was examined. It is a continuous process. The reason is the general law and order situation in a particular State and, of course, unsocial elements who want to travel without tickets.

SHRI BISWANARAYAN SHASTRI: The answer is not complete. May I know whether the railway employees are contributing to the ticketless travelling? What steps have been taken by the Railways in this respect?

SHRI BUTA SINGH: There have been complaints about the ticketless travelling which has been allowed in collusion with some of the running staff and other people who can help the ticketless travelling and this has been detected. Wherever this has been brought to the notice we have taken the strictest action against the guilty.

श्री शकंर दयाल सिंह यह जो सर्वेक्षण किया गया है, उसके अनुसार मैं जानना चाहता हूं कि क्या यह बात सही है कि जिस प्रांत के रेलवे मंत्री होते है, उसी प्रांत में टिकट लैस ट्रेवलिंग ज्यादा होती है ? बिहार के ऊपर यह बार बार दोषारोपण होता रहा है कि.....

अध्यक्ष महोदय : अगर यही टैस्ट है, तो आपको मंत्री होना चाहिये ।

श्री शकंर दयाल सिंह मैंने यह सवाल इसलिये पूछा कि बार बार इस सदन में यह जवाब दिया गया है कि बिहार में बहुत अधिक यात्री बिना टिकट के चलते है । क्योंकि पहले श्री जगजीवन राम रेलवे मंत्री थे, फिर डा० राम सुभग सिंह रेल मंत्री थे और फिर ललित बाबू रेल मंत्री रहे । इसको देखते हुये क्या यह सही है कि चूंकि वर्तमान रेलवे मंत्री उत्तर प्रदेश के है, जो देश का सबसे बड़ा प्रांत है, इसलिये इस समय सबसे अधिक बिना टिकट यात्री वहां चल रहे ।

रेल मंत्री (श्री कमलापति त्रिपाठी) मैं समझता हूं कि बिहार से उत्तर प्रदेश किसी बात में पीछे नहीं है ।

SHRIMATI PARVATHI KRISHNAN: Sir, I would like to know whether the Minister has made any examination of the fact that a large proportion of ticketless travelling is on the so called uneconomic lines and whether any analysis is made of it. What steps the Ministry proposes to take to check this ticketless travelling on the uneconomic lines?

SHRI BUTA SINGH: Sir, the line can be uneconomic not only because the people do not buy tickets, but the line can be uneconomic for so many other reasons. The passengers are not coming forward, the freight is not being offered and the frequency of train is not to the extent that is required. There are so many other factors. The suggestion made by the hon. Member will definitely be looked into. That is the reason why we also see that the uneconomic lines are reviewed in this context.

श्री नवल किशोर वर्मा बिना टिकट यात्रियों के बारे में जो सर्वेक्षण हुआ है क्या मंत्री महोदय यह भी बता सकेंगे कि उसके अनुसार रेलवे कर्मचारियों के कारण कितने बिना टिकट यात्री चलते है । क्या इसका भी कोई पता लगा है? यदि नहीं, तो क्या यह कोशिश की जायगी कि रेलवे कर्मचारियों के साथ जो यात्री बिना टिकट सफर करते हैं उनके बारे में भी सर्वेक्षण किया जाए और क्या सरकार का कार्यवाही करने का इरादा है ?

श्री बूटा सिंह : यह एक विशाल देश है और इसमें रेलवे बहुत दूर तक फैली हुई है । हमारे पास ऐसे आंकड़े नहीं हैं । अगर कोई शिकायत किसी एम्प्लाई के बारे में की जाय तो उस पर जरूर सख्ती से कार्यवाही की जायगी ?

यह पता चलता है कि कितने रेलवे कर्मचारियों पर हमला किया गया जब कि उन्होंने टिकटलैस ट्रैवलिंग को चैक करना शुरू किया । ऐसी सूचनायें हमारे पास

SHRI DINEN BHATTACHARYYA: Whether it is a fact that in big railway stations like Howrah, Sealdah, Bombay, Kanpur, etc., passengers stand in long queues for purchasing tickets? The passengers have to stand in the queues for hours together and also in the trains—specially in the local trains—the compartments are so congested that it is impossible to get into them. And because this a number of persons—of course some of them travel without tickets—are always ready to pay the fare whenever it is asked for from them by the Railway authorities.

MR. SPEAKER: It is more of giving information to you than asking a question.

SHRI DINEN BHATTACHARRYA: Sir, the Deputy Minister is a well-informed person. He was sometimes sitting with us. We know him very well.

MR. SPEAKER: If he wants to answer the question, I do not want to come in.

SHRI BUTA SINGH: For the information of the hon. Member I may say that all the stations he has mentioned, namely, Howrah, Sealdah, Bombay, Kanpur, Madras and Delhi have booking offices open for 24 hours. There the passengers are mostly season ticket-holders, pass-holders, daily travellers. So, the question of travelling without tickets for want of tickets is not a fact in my opinion.

SHRI N. K. P. SALVE: My supplementary is based upon the assumption that the loss estimate mentioned in the statement laid on the Table of the House is attributable to ticketless travel really of those passengers who did not buy tickets and got away with it. If this be correct, the Government deserves the fullest congratulations for the estimation of this figure. Because, there are two types of estimates which have completely baffled me. One is the estimate of the unborn children and the other is the loss on account of ticketless travel. May I, therefore, know of the hon. Minister as to what are the norms which they apply to determine how many people have travelled ticketless from which place to which place and what is the monetary loss involved? As a person interested in statistics, I should like to know the norms they have used. Secondly, the Minister does not seem to be knowing that ticketless travel is also on account of connivance by the officials. Will he agree for another assessment as to what extent this loss is attributable to ticketless travel with the active assistance of the railway employees?

SHRI BUTA SINGH: The hon. Member started his supplementary with an assumption. May I also start with the assumption that he has heard my replies to the earlier questions, where I have said "Yes, there has been some connivance cases which have come to our notice." I did say that. Then I come to how we arrive at these figures and what the norms are. We take up a particular section and for a certain period we go on checking daily the trains and, on the basis of the cases

detected, we arrive at these figures on an average basis. For example, in 1974-75 upto February 1975 on all the Indian railways 1,62,221 persons were prosecuted out of whom 99,189 persons were jailed and a sum of Rs. 12,66,691 was realised as judicial fine. On the basis of this exercise on a particular section we arrive at these figures.

Demand from State Governments for Increase in their Share of Oil Revenues

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*904. SHRI P. GANGADEB:
SHRI D. D. DESAI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether some States have approached the Central Government for an increase in the percentage of their share from oil revenues;

(b) whether recently he held any fresh talks with the representatives of the State Governments;

(c) whether the Central Government have taken any decision in the matter; and

(d) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Yes, Sir.

(b) Yes, Sir

(c) and (d). No final decision has yet been taken.

SHRI P. GANGADEB: Since the oil producing States have started demanding a higher percentage of royalty share or, for the matter of that, a share from the total oil revenues to be allotted to them, I would like to know from the hon. Minister what are the existing royalty terms for prospecting and mining of crude oil in the States in the country and whether the terms and conditions would now be revised primarily to help the State exchequer.

SHRI C. P. MAJHI: The rate of royalty to the States is fixed under the Oilfields Development and Regulation Act, 1948 Under this Regulation, the first award was given by late Prime Minister, Pandit Nehru in November, 1962 and in course of these years, it has undergone changes quite a number of times. Based on these settlements the Prime Minister gave an award on 15th October, 1972 under which rate of royalty on crude oil was fixed at Rs. 15 per tonne from 1st January, 1972 upto 31st March, 1979 and this will continue for some time. Regarding the proposal made by the State Governments to change the existing rates of royalty, the matter is under consideration and is being looked into.

SHRI P. GANGADEB: How do the royalty terms prevalent in this country compare with the terms in the Middle-east and other oil producing countries? And what action Government proposes to take to work out a better royalty in the interest of our country?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): We are trying to consider very seriously and sympathetically the proposals made by the State Governments. As a matter of fact, the price of crude oil which the ONGC gets has no relation with the international price and, therefore, the two cannot be compared. So far as the present negotiations are concerned, I hope, within a few months, we will arrive at a settlement.

SHRI D. D. DESAI: The hon. Minister has mentioned that royalty has nothing to do with the international market price. But the fact is, when the international crude oil was 1.5 dollar per barrel the royalty was Rs. 7.50. Now, the crude price has

gone up to 10 1/2 to 11 dollars, but the same percentage has not been paid to the States and the States have now been asking continuously for increase in the royalty rates. Whether the Minister is serious about the feelings of the people of the States—whether Assam or Gujarat—in regard to this delay regarding crude oil royalty which has not been altered since 1968? And 1972 award is not valid because the State Governments were not involved in that matter. Whether he is also considering to give royalty on crude from Bombay High to Gujarat State or not?

SHRI K. D. MALAVIYA: There is no provision in the Constitution that Gujarat can get any royalty on crude oil produced from the Bombay High. So far as the price of crude oil on which royalty is fixed, is concerned, the price which the ONGC gets from the oil lifted from Assam and Gujarat, is less than half the price of the internaflonal crude oil. Therefore, I said that there was no relation between the prices of the indigenous crude and the international crude, on the basis of which royalty is to be considered. What we do is that we try to co-relate the royalty on the basis of the crude price that the ONGC gets.

SHRI D. D. DESAI: Does the Minister want to test the constitutional provision in a court of law? Because, this is a situation which we have to face.

MR. SPEAKER: The question hour is over.

WRITTEN ANSWERS TO QUESTIONS

Production of Crude by O. & N.G.C. (Western Region)

*896. SHRI ARVIND M. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Oil and Natural Gas Commission (Western Region) has set up a record in exceeding its crude production target; and

(b) if so, the broad features thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) and (b). Against the revised target of 3.78 million tonnes of crude oil, ONGC produced and despatched a total of 3.86 million tonnes of crude oil from its oil fields in the Western Region during 1974-75.

Working of Public Sector Undertakings under the Ministry

*897. SHRI K. LAKKAPPA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the working results of each public sector undertaking under the control of his Ministry for the year 1974-75, as compared to 1973-74; and

(b) the extent of increase/decrease in net profit, after taxes, in the case of each undertaking with reasons therefor?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) and (b). As the accounts of the public sector undertakings for the year 1974-75 are not yet ready, a comparison of the working results of the undertakings in that year with those in the year 1973-74 is not possible. However, a statement is laid on the Table of the House giving the working results of the undertakings in terms of profit/loss for the year 1973-74.

Statement

Working Results of the Public Sector Undertakings under the Administrative control of the Ministry of Petro leum and Chemicals for the Year 1973-74.

(Rs. in lakhs)

Sl. No.	Name of the Undertaking	Working Results Net Profit (+) / Loss (—)	
1.	Oil & Natural Gas Commission.	(+)	2,451·17
2.	Indian Oil Corporation	(+)	981·00
3.	Madras Refineries Limited	(+)	671·00
4.	Cochin Refineries Limited	(—)	494·60*
5.	Indo-Burma Petroleum Co.	(+)	48·67@
6.	Lubrizol India Ltd.	(+)	42·60
7.	Indian Petrochemicals Corpn. Ltd.	(—)	262·39
8.	Engineers India Limited	(+)	44·16
9.	Fertilizer Corporation of India	(+)	456·00
10.	Fertilizers & Chemicals Travancore Ltd.	(—)	196·43
11.	Madras Fertilizers Limited	(+)	305·00
12.	Pyrites Phosphates & Chemicals Ltd.	(—)	15·90
13.	Hindustan Organic Chemicals Ltd.	(+)	127·87
14.	Hindustan Insecticides Ltd.	(+)	35·94
15.	Indian Drugs & Phermaceuticals Ltd.	(—)	182·28
16.	Hindustan Antibiotics Ltd.	(—)	148·21

*To be adopted by the shareholders, the financial year of the Company starts from September.

@TheCompany's financial year starts from January.

N.B. 1. This does not include Hindustan Petroleum Corporation Ltd., which became a public sector undertakings only on 13-3-74.

2. This also does not include Bongaigaon Refineries and Petrochemicals Limited, Petrofils Cooperatives Limited and National Fertilizers Lamited, as these came into being towards end of 1973-74 or thereafter.

भागलपुर-माण्डर लाइन पर मध्य बेला नामक स्थान पर हाल्ट की व्यवस्था करने के लिए अभ्यावेदन

*898. **श्री मधु लिमये:** क्या रेल मंत्री यह बतानें की कृपा करेंगे कि :

(क) क्या भागलपुर-माण्डर रेलवे लाइन पर संझा के मध्य में मध्य बेला नामक स्थान पर हाल्ट बनाये जाने के बारे में सरकार को एक अभ्यावेदन प्राप्त हुआ है ; और

(ख) यदि हां, तो इस हाल्ट के लिए की गई मांग पर सरकार की क्या प्रतिक्रिया है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) और (ख). जी, हां । प्रार्थना पत्र विचार किया गया था किन्तु उसे स्वीकार नहीं किया जा सका, क्योंकि इस हाल्ट के खोलने से वित्तीय हानि होगी और प्रत्याशित यात्रायात बहुत ही कम होगा । इसके अतिरिक्त इस क्षेत्र मे परिवहन के अन्य साधन पर्याप्त रूप से उपलब्ध हैं ।

Inquiry into Malpractices in Barpeta Bye-election to Lok Sabha

*899. SHRI SAMAR GUHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Election Commission has started inquiry into reported malpractices in the Barpeta Bye-election for Lok Sabha held recently in Assam as assured by the Chief Election Commissioner to the opposition leaders, the fact about which has also been corroborated by the Law Ministry;

(b) if so, terms of reference of the inquiry;

(c) personnel constituting this body to conduct enquiry; and

(d) time-schedule for completing the enquiry?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) to (d). The Election Commission has informed Shri Samar Guha, M.P. by his letter dated 20th March, 1975, that under article 329(b) of the Constitution and section 80 of the Representation of the People Act, 1951, a remedy for the allegations made by him and other Members of Parliament would have to be sought through an election petition. Under rule 93(1) of the Conduct of Elections Rules, 1961, the packets containing the documents specified in the representation could not be opened and the contents inspected except under the order of a competent court and so it was not possible to verify the allegations made in regard to any of those documents. In regard, however, to other matters referred to in the representation, an enquiry, which has already been initiated is still in progress. No specific time schedule for completing the inquiry has been stipulated. A full report is awaited.

Proposal to set up a Fertilizer Plant in Orissa

*900. SHRI GAJADHAR MAJHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of fertilizer plants in Orissa at present;

(b) whether there is any proposal under Government's consideration to set up a fertilizer plant in Orissa during the Fifth Five Year Plan; and

(c) whether Government are aware that there is an acute shortage of fertilizer in the State of Orissa?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) The following fer-

tilizer factories are in production in the State of Orissa at present:

Name of factory	Annual installed capacity (tonnes) Nitrogen	P_2O_5
1. *Hindustan Steel Ltd.*		
(a) By Product Anamonium Sulphate (b) CAN—Plant	1,22,700	..
2. Orissa Fertilizers and Chemicals	..	5,000

In addition, a coal-based fertilizer factory for the production of 2,28,000 tonnes of Nitrogen is under implementation at Talcher in the State.

(b) Yes, Sir. Government have approved in principle the establishment of a fertilizer plant at Paradeep in Orissa. This plant will be taken up for implementation as soon as the financial and other arrangements are tied up.

(c) According to information available to Government, there is no shortage of fertilizers in the State at present.

Oil Drilling in Continental Shelf

*905. SHRI D. K. PANDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether it has been finally decided to begin drilling for oil in the continental shelf off West Bengal and Orissa Coast; and

(b) if so, the broad outlines thereof and when it is likely to be started?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) and (b). Contract for oil exploration in the continental shelf off West Bengal—Orissa has been awarded to Carlsberg-Natomas Group of Oil Companies of USA. The surveys conducted have indicated structural possibilities. Data of surveys done is under processing and interpretation and only after this work is completed, a decision could be taken about drilling wells.

Production and Import of Dyeing Chemicals

*906. SARDAR SWARAN SINGH SOKHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the dyeing chemicals produced in India are still inferior in quality to those produced in foreign countries;

(b) whether dyeing chemicals are still imported from Western Europe and other countries;

(c) the quantity of such chemicals imported yearly and foreign exchange involved; and

(d) what steps Government propose to take to improve the indigenous chemicals and the time by which the imports thereof would be stopped?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) No, Sir.

(b) and (c). Yes, Sir. Imports made during the last 3 years are as follows:

Year	Quantity (tonnes)	Value (Rs. crores)
1972-73 . . .	757·4	3·24
1973-74 . . .	756·2	3·77
1974-75 (upto October 1974) . .	260·5	1·62

(d) The imports are largely of those dyestuffs whose requirements are small and of specialised nature. Necessary steps are being taken to achieve self-sufficiency and import substitution by licensing additional capacities liberally.

Quality of Oil Produced from Fourth Well in Bombay High

*907. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a layer of oil much thicker than that of the previous three wells has been traced in the Fourth well in the Bombay High;

(b) if so, facts thereof;

(c) whether the production potential will be on the high-side than the estimated 10 million tonnes a year; and

(d) if so, broad features thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) and (b). The fourth well has shown a fairly thick oil zone of about 41 metres. The thickness of the transitional zone of oil in this well was about 19 metres. The pay zone in the fourth well is comparatively larger than in the first 3 wells.

(c) and (d). While oil has been struck in all the four wells drilled so far in Bombay High with good flow of oil, it is necessary to drill a few more wells there, to be able to make a precise assessment of the production potential of the structure.

Scrutiny of Report of MRTP Commission by the Ministry of Law, Justice and Company Affairs

*908. SHRI B. V. NAIK: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the report of the Monopolies and Restrictive Trade Practices Commission is subjected to further scrutiny by his Ministry before orders are passed by Government under the relevant provisions of the M.R.T.P. Act, 1969; and

(b) if so, whether the Monopolies and Restrictive Trade Practices Commission is given an opportunity to justify its report during the above scrutiny?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) The reports submitted by the Commission in respect of proposals referred to it under section 21(3)(b) or section 22(3)(b) are examined by the Central Government in terms of section 21(3)(c) or section 22(3)(c) before passing any order in respect of such proposals.

(b) Such reports of the Commission are advisory in character and the question of giving any opportunity to the Commission to justify its reports does not arise.

Off-shore Drilling in areas besides Bombay High

909. SHRIMATI PARVATHI KRISHNAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have decided to go in for more off-shore drilling in areas besides Bombay High;

(b) if so, the facts thereof; and

(c) what will be the cost of the new plan?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) to (c). Apart from the Bombay off-shore area, exploration work has been taken up in the continental shelf in the Kutch Basin and in the Bengal-Orissa Basin through foreign companies with whom contracts for off-shore exploration for these two basins have been concluded. Drilling in the Kutch basin and the Bengal-Orissa basin is expected to be commenced after monsoon this year.

ONGC is acquiring a seismic survey vessel which will undertake a systematic geophysical survey in the remaining areas of the continental shelf. Any decision on exploratory drilling in these remaining areas can be taken only after processing and interpreting the results of the seismic surveys. It is, not, therefore, possible to give any indication of the cost estimates at present.

Proposal from IDPL to Produce Formulations

*910. SHRI Y. ESWARA REDDY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the IDPL has a proposal to go in for production of new formulations;

(b) if so, which are the formulations going to be produced and at what capacity; and

(c) what are the other expansion programmes of I.D.P.L. proposed to be taken up during Fifth Plan period?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) to (c). IDPL propose to formulate 60 per cent of their total production of bulk drugs by the end of 5th Plan period and towards this end formulation capacity is proposed to be increased by them at their Synthetic Drugs Plant, Hyderabad and Antibiotics Plant, Rishikesh. In addition it is also proposed to set up a new formulation unit. It is expected that with the implementation of expansions envisaged the annual tableting capacity of Synthetic Drugs Plant, Hyderabad will increase from 2,000 millions to 5,200 millions besides creation of new capacities for manufacture of injectables, vials, capsules, syrups and ointments. In the Antibiotics Plant, Rishikesh the capacity of vials and capsules which presently stands at 120 millions per annum will stand doubled by the end of the 5th Plan period. Similarly, it is proposed to create the following capacities in the new formulation unit of IDPL:

Tablets . . .	1500 million.
Capsules . .	50 ,,
Vials . . .	50 ,,
Ampoules . .	50 ,,
Syrups . . .	600 Kilolitres
Ointment . .	30 Tonnes.

In addition to the above, the proposal of IDPL for expansion during the Fifth Plan as revised by them consists of the following:—

Project	Capacity proposed	Capital Cost. Rs. lakhs.
Synthetic Drugs Plant Expansion—38 drugs	Expansion from 1989 tonnes. to 3307 tonnes p.a.	2190·00
Niacinamide Plant . . .	300 tonnes.	138·00
Antibiotics Plant Expansion .	Streptomycin from 85 T to 120 T : Tetracycline from 25 to 95 T : Ampicillin 10 T: Doxycycline 5 T.	820·00

As against the total estimated cost of Rs. 44,98 crores for the proposed expansion programme of IDPL, the Planning Commission has proposed a capital outlay of Rs. 40 crores during the Fifth Five Year Plan.

Some of the categories of drugs of which formulations are tentatively proposed to be undertaken by IDPL include vitamins, anti-diabetics, anti-malarial, anti-depressents, anti-TB, sulphas, antibiotics, etc.

Appointment of Sons/Dependents of Loyal Employees in Dhanbad Division

*911. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) total number of rail employees in Dhanbad Division and the total number of so-called loyal workers in Class III and Class IV, separately during May, 1974 rail strike;

(b) names of the sons and dependents of loyal workers appointed directly in Class III Cadre in Dhanbad Division stating the ground for granting this special privilege; and

(c) number of local people particularly the Adivasis, Harijans, Scheduled Castes and Tribes appointed in Class III and Class IV during and after May, 1974 strike?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Out of 9,001 Class III and 16,349 Class IV employees, 7,934 in Class III and 11,372 in Class IV remained loyal.

(b) About 91 wards of loyal railway employees of Dhanbad Division have been appointed in Class III posts so far because of the conspicuous devotion to duty displayed by the employees in the face of violence and intimidation, however their names are not readily available.

(c) All the 91 persons appointed in Class III posts are awards of Railway employees working in that area. Out of the three applications from Scheduled Castes employees two have been appointed in Class III posts and no application has been received from the Scheduled Tribes employees so far.

Explosion of Cooking Gas Cylinders in Wagons at Sarai Rohilla

*912. SHRI SHASHI BHUSHAN; SHRI R. V. SWAMI. NATHAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether in the second week of April, 1975, more than 850 cooking gas cylinders exploded at the Sarai Rohilla shunting yard and a heavy fire broke out;

(b) if so, number of persons killed and injured; and

(c) the compensation paid to the victims?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) 845 gas cylinders which had caught fire exploded on 10th April, 1975.

(b) None was killed but 5 persons including one Railway employee sustained injuries.

(c) No compensation has been paid to the injured persons. However, an ex-gratia payment of Rs. 3,600 has been made to Railway employees for damage to their Jhuggies.

Condition of E.M.U. Coaches in Sealdah Division

913. SHRI SAKTI KUMAR SARKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the attention of his Ministry has been drawn to the first page picture of 'Dainik Basumati Calcutta Daily' dated the 9th April, 1975;

(b) whether almost all E.M.U. coaches in Sealdah Division are not in working condition;

(c) the number of E.M.U. coaches in the Sealdah Division which are in working condition; and

(d) when all the E.M.U. coaches will be given proper shape for the public comfort?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) and (c). No, Sir, out of 56 rakes on line, 47 rakes are in working condition and rest 9 rakes are in circulation for heavy POH and special repairs.

(d) During service, heavy damages occur to equipments/fittings due to miscreants activities by anti-social elements. These damages are to a great extent rectified when the coaches are sent to Shops or Sheds. Constant efforts are made and special drives are launched to keep the EMU coaches in good condition for public use.

Progress on Paradeep Fertilizer Plant in Orissa

*914. SHRI ARJUN SETHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the progress so far made in the setting up of a fertilizer plant at Paradeep in Orissa; and

(b) the time by which the plant is likely to commence production?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) and (b). The project has been approved in principle by Government and will be taken up for implementation after financial and other arrangements are tied up.

Manufacture of Products without Approval by M/s. Glaxo Laboratories

8678. SHRI NANUBHAI N. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 5366 on 8th April, 1975 regarding irregularities committed by M/s. Glaxo Laboratories (India) Limited and state:

(a) whether the information given by his Ministry is not correct;

(b) if so, whether M/s. Glaxo Laboratories (I) Limited are manufacturing a number of products without any approval/industrial licence and resorting to over-invoicing/under-invoicing;

(c) if so, whether Government propose to take penal action against this firm for violating the rules and regulations of this country for heavy repatriation abroad; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d). Information is being collected and will be laid on the Table of the House.

सनलाइट साबुन की किस्म

8679. **श्री गंगा चरण दीक्षित :** क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बाजार में मिल रहे सनलाइट साबुन की किस्म पहले बनाने वाले साबुन की किस्म से बहुत ही घटिया है यद्यपि इसका मूल्य बढ़ा दिया गया है ;

(ख) क्या सरकार का विचार इस मामले की जांच करने और उत्पादकों को पहले जैसी किस्म का साबुन बनाने के निर्देश देने का है ; और

(ग) यदि हां, तो इस संबंध में विलम्ब के क्या कारण हैं ?

पेट्रोलियम और रसायन मंत्रालय में उपमंत्री (श्री सी०पी०माझी) : (क) सितम्बर, 1974 में मूल्यों पर अनौपचारिक नियंत्रण हटाने के बाद सनलाइट साबुन के गुणों में गिरावट आने की कोई रिपोर्ट नहीं है । दूसरी ओर मैसर्स हिन्दुस्तान लीवर के

अनुसार सनलाइट साबुन में सुधार हुआ है क्योंकि उसमें टी एफ एम पदार्थ की वृद्धि हुई है और साबुन आई एस आई विशिष्ट के अनुसार है ।

(ख) और (ग) प्रश्न नहीं उठता ।

Construction of Offshore Terminal at Salaya

8680. SHRI C. K. CHANDRAPPAN. Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether work in connection with the construction of the offshore terminal at Salaya and the overland pipeline system from Salaya to Koyali and Mathura is not proceeding according to schedule;

(b) if so, the reasons and facts thereof; and

(c) what was the original estimated cost and what is the present cost for this?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). The offshore terminal, onshore terminal and Salaya-Viramgam-Koyali/Mathura pipeline were sanctioned by Government in August, 1973 at a total cost of about Rs. 120 crores including a foreign exchange component of Rs. 50 crores for completion before the commissioning of the expanded Koyali Refinery by 1st April, 1977 and Mathura Refinery by mid-1978. The cost estimates have increased substantially due to rise in prices of equipment, materials, etc. As per assessment made in 1974, these facilities are estimated to cost Rs. 188.16 crores including a foreign exchange component of Rs. 68.58 crores.

In view of rapid escalation of the cost of the imported crude oil, limited availability of foreign exchange and difficult resource position, the completion schedule of Mathura Refinery including Viramgam-Mathura Sector of the pipeline is presently under review of Govt. The offshore terminal alongwith Salaya-Viramgam-Koyali sector of the pipeline is expected to be ready in time to feed the expanded Koyali Refinery which is now scheduled to be commissioned by mid-1977.

Amalgamation of Williamson Magor and Co. with Macneill and Barry Ltd.

8681. SHRI SHRIKISHAN MODI: SHRI ANADI CHARAN DAS: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there has been unholy amalgamation of Williamson Magor and Co. Ltd., Calcutta with Macneill and Barry Ltd., Calcutta; and

(b) if so, whether any check was exercised over such amalgamation of the two companies?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). The scheme of amalgamation was approved by the Calcutta High Court under section 391/394 of the Companies Act, 1956 and by the Central Government under section 23(2) of the M.R.T P. Act, 1969 in the light of the guiding principles contained in section 28 of that Act. While approving amalgamation on merits a condition has been imposed that the foreign shareholdings in the amalgamated company should be brought down to 27.53 per cent within a period of 2 years from the date of amalgamation becoming effective.

Wagon Orders pending with Industry in West Bengal

8682. SHRI TUNA ORAON: Will the Minister of RAILWAYS be pleased to state:

(a) whether a number of wagon order have been pending with the wagon industry in West Bengal for the last three years;

(b) if so, the details of the wagon orders pending with this industry, unit-wise upto date;

(c) the details of the supply made by these units unit-wise;

(d) whether it is a fact that the pricing of the wagons has been increased due to which these units are reluctant to supply the orders any more;

(e) if so, the position, unit-wise upto date; and

(f) the action taken in this regard by his Ministry to enable the industry to keep up the production and to save the industry?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) and (c). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-9630/75].

(d) and (e). No, however, the wagon industry have represented that due to inflation towards the end of 1973 and in 1974 the prices of concluded wagon contracts have become unremunerative.

(f) A committee consisting of representatives of the Ministry of Railways, Ministry of Industry and Civil Supplies and M/s Wagon India (P) Limited has been appointed to examine the representations of the wagon industry for suitable revision of prices in the concluded contracts which are claimed to have become unremunerative.

Tenders for award of Cycle Stand Contract at Kanpur Station

8683. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the parties who submitted tenders for award of Cycle Stand Contract at Kanpur Railway Station, Goods Shed including Loco Shed on 19th June, 1974 together with rates quoted by individual tenderer;

(b) whether as per general conditions of contracts the rates quoted by different parties were binding for a period of 90 days from the date of opening of tenders;

(c) whether finalization of tenders was delayed with a view to giving financial benefit to the existing contractor, who is paying much less amount of licence fees as compared with the rates offered by the highest tenderer; and

(d) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The following seven tenders were received:—

Name of the party	Amount tendered.
	Rs.
1. M/s. M. D. & Co., Kanpur	1,31,000·00
2. M/s. Raza & Co., Kanpur.	1,29,000.00
3. Sh. Mohd. Farid Idrishi, Kanpur.	99,959·99
4. M/s. Nirankari Engineering Corporaton, Kanpur. .	87,050·00
5. Sh. Kudrat Din, Kanpur..	82,000·00
6. M/s. Patla Traders, Kanpur.	77,101·00
7. Sh. Mohd. Sabir, Kanpur.	98,700·00

(b) Yes.

(c) No.

(d) Does not arise.

Composition of Development Council for Drugs

8684. SHRI SOMCHAND SOLANKI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what was the composition of the Development Council for Drugs during the Fourth Plan;

(b) whether it was controlled by foreign drug industry because this sector is controlling the production and sales of drugs in our country;

(c) whether Government propose to remove those members from the Development Council whose firms have flouted the I (DR) Act and rules; and

(d) if so, whether Government propose to eliminate this discrimination in the interest of the Indian drug firms?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d). Statements I, II and III indicating the composition of the Development Council for Drugs and Pharmaceuticals as on 17-8-1968, 10-9-1971 and at present are laid on the Table of the House. [*Placed in Library. See* No. LT-9631/75].

In accordance with Section 6(1) of the I(D&R) Act, 1951, the Central Government may, by notified order establish for any scheduled industry or group of scheduled industries, a body of person to be called a Development Council which shall consist of the members who in the opinion of the Central Government are:

(i) persons capable of representing the interests of owners of industrial undertakings in the Scheduled industry or group of scheduled industries;

(ii) persons having special knowledge of matters relating to the technical or other aspects of the scheduled industry or group of scheduled industries;

(iii) persons capable of representing the interests of persons employed in industrial undertakings in the scheduled industry or group of scheduled industries; and,

(iv) persons not belonging to any of the aforesaid categories, who are capable of representing the interests of consumers of goods manufactured or produced by the scheduled industry or group of scheduled industries.

The council is constituted under the said proviso after every two years with the representatives as referred to above as members. A member of a council shall hold office for such period not exceeding two years from th e date of appointment as may be specified in the order of appointment and shall be eligible for re-appointment.

While constituting the present Development Council recommendation of the Estimates Committee on DGTD contained in para 3.5 (Fifth Lok Sabha) were also kept in view.

Permitting Fertilizer Industry to store surplus Naphtha

8685. SHRI G. Y. KRISHNAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have considered the proposal to allow the fertiliser industry to store surplus naphtha;

(b) if so, what are the circumstances leading to this proposal;

(c) whether Government have decided to extend adequate credit to the industry for this purpose; and

(d) if so, what is the amount earmarked for this purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d). In this connection reply given to Lok Sabha Unstarred Question No. 2121 on 4th March 1975 may kindly be referred to.

Legal Aid to the Tribals

8686. SHRI K. PRADHANI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how much amount has been allotted for the current financial year for providing legal aid to the tribals;

(b) whether it is allotted state-wise;

(c) what amount of money was spent last year; and

(d) how many persons have been benefited thereby?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) to (d). The information is being collected from the Ministry of Home Affairs and will be laid on the Table of the House.

नागपुर एवं उसके समीपवर्ती स्टेशनों से संतरे तथा सब्जियों के ढोने के लिए रेलवे वैगन

8687. श्री राम हेंडाऊ : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नागपुर और उसके समीपवर्ती क्षेत्र के स्टेशनों पर संतरे और सब्जियों के ढोने के लिये रेलवे वैगन अपर्याप्त संख्या में और अनियमित रूप से उपलब्ध होते हैं, और

(ख) इस कठिनाई को दूर करने के लिये क्या कार्यवाही की जा रही है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

Sufficiency of Allocated Funds for Banspani-Jakhapura Railway Line in Orissa

8688. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of RAILWAYS be pleased to state:

(a) whether budget allocation of Rs. I lakh for Banspani-Jakhapura is enough;

(b) will Government consider for more money this year so that the work undertaken is commensurate with the objective; and

(c) what is the mileage of to Railway line till now in Orissa?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Only a token allocation has been made on account of the very limited availability of funds in the current year.

(b) It is under consideration.

(c) Route kilometrage of railway lines in Orissa, as on 31-3-1974, is 1960 kms.

Railway Lines constructed on Plea of "National Lines"

8689. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether any new lines have been constructed by Government during the last 10 years on the plea that they are national lines or they are in the national interest; and

(b) if so, the names of such Railway lines and the exact definition of the term 'national lines' which were kept in view while deciding these cases?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Indian Railways are a Government enterprise and all the lines are constructed by them in the national interest and they are all national lines. A statement showing new lines completed and opened to traffic during the last ten years (1964-65 to 1974-75) is laid on the Table of the House. [*Placed in Library. See* No. LT-9632/75].

दिल्ली-अहमदाबाद के बीच चलने वाली जनता गाड़ी में ड्यूटी पर नियुक्त कन्डक्टर

8690. श्री मूल चन्द डागा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस बात की जानकारी है कि जयन्ती जनता गाड़ी जो दिल्ली से अहमदाबाद जाती है और जिसमें अजमेर से अहमदाबाद के बीच तीन टायर के दो डिब्बे लगते हैं, उनमें केवल एक ही कन्डक्टर ड्यूटी पर रहता है ;

(ख) क्या गाड़ियां रास्ते में दो और तीन मिनट ठहरती है और यात्री कन्डक्टर से संबंध स्थापित नहीं कर पाते हैं जिसके परिणामस्वरूप उन्हें अनेक सुविधाओं से वंचित रहना पड़ता है ; और

(ग) क्या अन्य गाड़ियों में प्रत्येक तीन टायर के डिब्बे में एक एक कन्डक्टर ड्यूटी पर रहता है और यदि हां, तो जयन्ती जनता से अजमेर से अहमदाबाद जाने वाले यात्रियों को इस सुविधा से क्यों वंचित रखा जाता है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) जी हां । जयन्ती जनता एक्सप्रेस में अजमेर और अहमदाबाद के बीच चलने वाले दो 3-टियर शयन यानों में केवल एक चल टिकट परीक्षक रहता है ।

(ख) जी नहीं । चूंकि ये सवारी डिब्बे गलियारेदार हैं इसलिये यदि चल टिकट परीक्षक दूसरे डिब्बे में हो तो भी अन्य डिब्बे के यात्री उससे सम्पर्क कर सकते हैं ।

(ग) सभी गाड़ियों में दूसरे दर्जे के प्रत्येक गैर-गलियारेदार शयन यान में एक चल टिकट परीक्षक तैनात रहता है और गलियारेदार शयनयान हो तो प्रति दो शयनयानों में एक चल टिकट परीक्षक रहता है ।

Posts involving Allotment of Higher Grade or Up-Gradation

8691. SHRI M. DEIVEEKAN: Will the Minister of RAILWAYS be pleased to state:

(a) what are the categories of posts for staff and officers on the Railways for which the Third Pay Commission's recommendations involve allotment of high grade or upgradation to a high grade, partially or in full;

(b) which are the categories among them where the recommendations have not been implemented;

(c) whether Government propose to fix a date before which the recommendations will be implemented in letter and spirit; and

(d) if a date cannot be fixed, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A statement is attached.

(c) and (d). It is expected that implementation will be completed in three to four months time.

Statement

	Category of officers/staff	Whether implemented or not
Allotment of Higher Grades		
1.	General Managers.	Yes
2.	Director General, R.D.S.O.	Yes
3.	Director, Health	Being implemented
4.	Directors, Railway Board (partly)	Yes
5.	Senior Deputy General Manager	Yes
6.	Chief Administrative Officer, M.T.P. (Railways), Delhi, Bombay and Madras	Yes
7.	Chief Mining Adviser	Yes
8.	Principal, Railway Staff College, Baroda.	Yes
9.	Joint Director (Chemical & Metallurgy)	No
10.	Economic Adviser.	No
11.	Chemists & Metallurgists	Yes
12.	Divisional Medical Officers	Yes
13.	Assistant Medical Officers	Being implemented
14.	Assistant Accounts Officers	Yes
15.	Shop Superintendents	Yes
16.	Loco Foremen	Being implemented
[17.	Chief Controllers (at Zonal Headquarters & Divisions)]	Yes
18.	Chief Controllers (at out-stations)	Yes
19.	Power Controllers Grade I	Yes
20.	Station Superintendents (partly)	No
21.	Chief Yard Masters (partly)	No
22.	Shunting Masters 'A'	Yes
23.	Stenographer to General Manager	Yes
24.	Chief Research Assistant	No
25.	Console Operator	Yes
ntroduction of Selection Grades		
26.	J. A. Grade Officers in Established Services	No
27.	Superintendent Printing & Stationery	No
28.	Dental Surgeons	No
29.	Stenographers in Railway oard Secretariat]	No
30.	Health Visitors	No

1	2	3
31.	Pharmacists	No]
32.	Radiographers	No
33.	Head Masters, High & Higher Secondary Schools	No
34.	Trained Graduate Teachers	No
35.	Post Graduate Teachers	No
36.	Head Master Middle Schools	No
37.	Primary School Teachers	No

Catering Contractors between Alipurduar and Tinsukia Stations

8692. SHRI ROBIN KAKOTI: Will the Minister of RAILWAYS be pleased to state:

(a) the names and home addresses of the Catering Contractors on each junction and Railway Station from Alipurduar to Tinsukia of North-eastern Frontier Railway together with the branch lines which fall within the State of Assam;

(b) the dates from which the above contractors are working; and

(c) total number of applications received from the local people of North-eastern region for catering contracts for the years 1973-74 and 1974-75?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A statement is attached.

(c) Durmg the years 1973-74 and 1974-75, 35 and 76 applications respectively were received from local people of North East Region for allotment of catering contracts.

Statement

(a) and (b)

Name of Station (1)	Home address of the contractor. (2)	Date since when working (3)
Dibrugarh Town.	Shri S. D. Phukan, P.O. Dibrugarh, Assam.	1-12-69
Tinsukia Jn.	Shri H. K. Singh, P.O. Tinsukia. Dibrugarh.	1-4-66
,,	Shri J. N. Sharma, P.O. Tinsukia, Dibrugarh.	1-4-69
Simaluguri Jn.	Shri Bakul Sharma, P.O. Simaluguri. Distt. Sibsagar	1-4-71
Mariani	Shri P. C. Ghosh, P.O. Mariani, Distt. Sibsagar.	1-11-68

(1)	(2)	(3)
Furkating . . .	Shri A. K. Ghosh, P.O. Mariani, Distt. Sibsagar. .	21-11-68
Diphu . . .	M/s. Kamala Devi Pandit Sarathilal Kalhan, P.O. Lumding, Distt. Nowgong, Assam.	1-1-74
Lumding Jn. . . .	M/s. Ghosh & Co., P.O. Lumding, Distt. Nowgong.	1-4-66
,,	M/s. Salkia Trading & Co., P. O. Lumding, Distt. Nowgong.	1-4-66
,,	M/s. Kamala Devi Pandit Sarathilal Kalhan, P.O. Lumding, Distt. Nowgong.	1-4-67
Lowerhaflong . . .	M/s. Ghosh and Co., P.O. Lumding, Distt. Nowgong .	1-4-66
,,	Shri B.R. Ghosh, P.O. Mariani, Distt. Sibsagar.. .	5-10-70
Badarpur . . .	Shri Monoranjan Ghosh, P.O. Badarpur, Distt. Cachar.	1-4-66
,, . . .	Shri A. K. Chanda, P.O. Badarpur, Distt. Cachar. .	1-4-66
,,	Shri B. N. Ghosh, P.O. Badarpur, Distt. Cachar. .	1-9-66
Silchar . . .	Shri K. N. Bhattacherjee, P.O. Silchar, Distt. Cachar.	15-11-65
Karimganj . . .	M/s. Gauhati Catering Employees Cooperative Society Ltd., Gauhati.	*
Chaparmukh . . .	M/s. Salkia Trading & Co., P.O. Chaparmukh, Distt. Nowgong.	*
Rangiya Jn. . . .	Shri H. R. Kalita, P.O. Rangiya, Distt. Kamrup. .	1-10-67
Rangapara North .	Shri Rupeswar Katati, P.O. Rangapara North, Distt. Darrang	1-10-68
North Lakhimpur .	Shri Champah Gohain Barua. P.O. North Lakhimpur, Distt. Lakhimpur.	1-1-73
Barpeta Road. . . .	Shri K. L. Das, P.O. Barpeta Road, Distt. Kamrup. .	12-8-68
Sorbhog . . .	Shri Chhota Lal Prsad, P.O. Sorbhog, Distt. Kamrup.	1-5-70
Bongaigaon . . .	Shri P. G. Gupta, P.O. Bongaigaon, Distt. Goalpara. .	1-2-69
New Bongaigaon. . .	Shri P. Gupta, P.O. Bongaigaon, Distt. Goalpara. .	11-4-66
Fakiragram. . . .	Shri B. Tiwari, P.O. Fakiragram, Distt. Goalpara. .	1-5-68

*Not available.

Railway Overbridges and Underbridges in various Zones

8693. SHRI K. SURYANARAYANA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of railway over or underbridges proposed by the State Governments in various Railway zones with their locations during the last three years ending March 31, 1975; and

(b) the action taken by the Central Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Arrest of Youngmen carrying loaded Pistols from Banda-Lucknow Express

8694. SHRI VARKEY GEORGE: Will the Minister of RAILWAYS be pleased to state:

(a) whether on the 4th February, 1975 two young men alleged to be students carrying loaded pistols were arrested by the police from first class compartment of Banda-Lucknow express; and

(b) whether similar vigilance has been introduced on other routes also so as to discourage the activities of the dacoits?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No. However, a gang of 7/8 dacoits armed with country made pistols, revolvers and iron rods entered a 2nd class compartment of 109 Dn. (Banda-Lucknow-Express) on 10-2-75 and after assaulting 2 passengers looted cash and other belongings worth about Rs. 56,470/-. They escaped after destroying vacuum. The Government Railway Police armed guard travelling on the train chased them but could not apprehend any of the culprits. Subsequently one of the culprits was arrested by the Police.

(b) Maximum vigilance is being maintained by the Government Railway Police on all routes.

Drilling in West Bengal

8695. SHRI VIRBHADRA SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government propose to undertake drilling in any part of West Bengal in the near future; and

(b) if so, what are the areas?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). ONGC has released for drilling three locations one at Bakultala and two at Galsi. Drilling at Bakultala structure is expected to be commenced during this year.

Incentive to Loyal Railway Employees of Alipurduar Division (North-east Frontier Railway)

8696. SHRI B. K. DASCHOWDHURY: Will the Minister of RAILWAYS be pleased to state the number of Railway employees with names who have been promoted by way of incentive for helping the administration and the Railway authorities in the Railway strike of 1974, in the Alipurduar Division of Northeast Frontier Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). On the Alipurduar Division of the Northeast Frontier Railway, 3 Class III and I Class IV employees were promoted temporarily as an incentive for their loyal working during the May 1974 Strike, as per details given below:—

A. Class III employees:

1. Shri Sachmdra Nath Datta, from Chief Clerk to Office Superintendent.
2. Shri D. G Biswas, from Head Clerk (Commercial) to Chief Clerk (Operating).
3. Shri Chandan Sarkar, from Junior Clerk to Senior Clerk.

B. Class IV employees:

1. Shri B. Ghose, from Porter to Brakesman.

Fire in Wagons carrying Petroleum Gas at Tughlakabad Railway Yard

8697. SHRI M. M. JOSEPH: Will the Minister of RAILWAYS be pleased to state:

(a) whether recently a fire broke out in two wagons carrying highly inflammable petroleum gas at Tughlakabad railway yard;

(b) if so, the estimated loss suffered thereby; and

(c) the cause of the fire?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) The total loss is estimated at Rs. 10 Lakhs approximately.

(c) Cause of fire is being investigated. It, however, appears that gas leaking from tank wagons caught fire from some external source of ignition.

आयातित पैट्रोलियम उत्पादों का मूल्य

8698. श्री हुकम चन्द कछवाय : क्या पैट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि जुलाई से दिसम्बर, 1974 तक कितने पैट्रोल, डीजल, मिट्टी का तेल, भट्टी तेल और कुकिंग गैस का आयात किया गया तथा भारतीय मुद्रा में उनका मूल्य क्या है ?

पेट्रोलियम और रसायन मंत्रालय में उप मंत्री (श्री सी० पी० मांझी) जुलाई से दिसम्बर, 1974 के दौरान लगभग 102 करोड़ रुपये के मूल्य का लगभग 1.5 मिलियन मीटरी टन एच० एस० डी० मिट्टी का तेल और भट्टी के तेल का आयात हुआ है। इस समय के दौरान मोटर स्पिरिट (पैट्रोल) का आयात नहीं किया गया था।

Dilution of equity of foreign drug companies

8699. SHRI B. S. BHAURA:
SHRI K. M. 'MADHUKAR':

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Foreign Exchange Regulation Act has failed to persuade foreign drug companies to dilute their equity to the desired extent;

(b) if so, which are the Companies that have diluted their equity and yet to dilute it according to the Act; and

(c) what action is proposed to be taken against such firms?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). Under the Foreign Exchange Regulation Act, 1973 all non-residents, branches of foreign companies operating in India and Indian companies having more than 40 per cent non-resident share holdings are required to obtain the approval of the Reserve Bank of India for the purpose of carrying on, or establishment of a branch office or other place of business for carrying on any activity of a trading, commercial or industrial nature, but the Act in itself does not impose any restrictions on such companies to dilute their foreign equity holding as such. The applications received from drug companies are at various stages of consideration. On scrutiny of the applications if it is decided to permit a company to carry on its activities subject to its undertaking to reduce foreign holding to a specified extent the Reserve Bank would issue a letter of intent to such a company and obtain from it an undertaking to reduce the foreign equity and its scheme giving information as to how this undertaking would be implemented. The final letter of approvals are proposed to be issued only after necessary undertaking is obtained and the relative scheme is approved by the Reserve Bank. No such letter of intent has been issued to any company upto 22-4-1975.

मारुति लिमिटेड में भूतपूर्व विदेश व्यापार मंत्री के परिवार के सदस्यों और काली सूची में दर्ज कम्पनियों के शेयर

8700. श्री अटल बिहारी वाजपेयी :
श्री हेमेन्द्र सिंह बनेरा :

क्या वित्त, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 9 दिसम्बर, 1974 के "मदरलैंड" में प्रकाशित उस समाचार की ओर सरकार का ध्यान दिलाया गया है, जिसमें यह कहा गया है कि मारुति लिमिटेड में भूतपूर्व विदेश व्यापार मंत्री श्री मिश्र के परिवार के सदस्यों के 15670 शेयर है और कर्नाटक एक्सपोर्ट्स लि० की एक सहयोगी कम्पनी वाणिज्य उद्योग प्राइवेट लि० के भी मारुति लि० में 22500 शेयर हैं और कि कर्नाटक एक्सपोर्ट्स लि० को स्टेनलैस स्टील के सौदे में धोखाधड़ी करने के लिये काली सूची में दर्ज किया गया था ;

(ख) इन शेयरहोल्डरों के शेयरों के बारे में पृथक पृथक ब्यौरा क्या है ; और

(ग) क्या काली सूची में दर्ज किसी अन्य कम्पनी के भी मारुति लि० में शेयर हैं और यदि हां, तो तत्संबंधी ब्यौरा क्या है और ऐसी कम्पनी/कम्पनियों के कितने शेयर है ?

वित्त, न्याय और कम्पनी कार्य मंत्रालय में उप-मंत्री (श्री बेदबत बरुआ) : (क) और (ख) : "मदरलैंड" ने प्रश्न में निर्दिष्ट समाचार प्रकाशित किया था । परन्तु जब तक स्वर्गीय श्री एल० एन० मिश्र के परिवार के सदस्यों के नाम व पते उपलब्ध नहीं होते, तब तक यह कहना सम्भव नहीं है कि उनके परिवार के किन्हीं सदस्यों के पास मारुति लिमिटेड के कोई हिस्से हैं । स्वर्गीय श्री मिश्र के स्वयं के नाम में मारुति लि० में कोई हिस्से नहीं है । वाणिज्य उद्योग प्राइवेट लिमिटेड नामक किसी कम्पनी के मारुति लिमिटेड में कोई हिस्से नहीं है ।

विभाग के पास कर्नाटक एक्सपोर्ट्स लिमिटेड के काली सूची में दर्ज किये जाने की बाबत कोई सूचना नहीं है ।

(ग) विभाग के पास कोई सूचना नहीं है ।

Foreign Majority Drug Companies Purchasing Drugs from Abroad

8701. SHRI ANADI CHARAN DAS: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Foreign Majority Drug Companies have purchased at high prices proprietory drugs from their parent companies abroad;

(b) if so, whether Goverament have decided to put an end to this state of affairs; and

(c) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c): Imports of raw materials,

drugs, drug intermediates, other than those canalised through the S. T. C., are allowed to all the Actual Users whether Indian or Foreign, from Rupee Currency Areas, General Currency areas and available credits on the recommendation of the sponsoring authority. In such cases no obligation is imposed that the import will be from any specific country and the Actual Users are free to import from any availble source of supply.

It was brought to the notice of the Government that some of the foreign drug companies were importing raw materials, bulk drugs, drug intermediates from their principals at higher prices though the International prices had come down. To put a stop to such practices and to ensure that bulk drugs, drug intermediates are imported from the most advantageous source of supply at competitive prices, the system of canalisation of imports through the STC was effected from 1-4-1970. Since then 36 items of bulk, drugs/drug intermediates, which constitute about 60 per cent of the total imports, have been canalised for imports through the STC. The question of further enlarging the list of canalisation of drugs through the S. T. C. is under consideration of the Government.

नरेला रेलवे स्टेशन पर चावल से भरे माल डिब्बे का पकड़ा जाना

8702. **श्री राम प्रकाश :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पुलिस ने 10 अप्रैल, 1975 को नरेला (हरियाणा) रेलवे स्टेशन पर एक माल डिब्बा पकड़ा जिसमें 221 बोरी चावल लदा था,

(ख) क्या इस संबंध में किसी रेल कर्मचारी को गिरफ्तार किया गया ;

(ग) यदि हां, तो इसके तथ्य क्या हैं ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) जी नहीं। लेकिन 4-4-75 को पुलिस ने एक माल डिब्बा कब्जे में लिया था जिसमें 216 बोरी चावल लदा था और जिसे नरेला से ठसारा तक यह कह कर बुक किया गया था कि उसमें 221 बोरी चने की दाल है ।

(ख) जी हां । नरेला रेलवे स्टेशन के एक माल बाबू और 3 कमीशन एजेंटों को पुलिस ने गिरफ्तार किया है ।

(ग) 3-4-75 को दिल्ली मण्डल के रेलवे सुरक्षा दल को यह सूचना मिली कि 1-4-75 को नरेला से ठसारा स्टेशन (पश्चिम रेलवे) के लिये जो माल डिब्बा नं० एस० ई० सी० 33445 बुक किया गया है और जिसके बारे में कहा गया कि उसमें 221 बोरी चने की दाल लदी है उसमें वस्तुतः चावल लादे गये हैं । चूंकि यह माल डिब्बा अभी भेजे जाने की प्रतीक्षा में था, इसलिये इसे रोक लिया गया और अगले दिन अपेक्षित जांच पड़ताल और आगे कार्रवाई के लिये इस डिब्बे को रेलवे सुरक्षा दल के सशस्त्र पहरे में रख दिया गया । यह पता चलने पर कि माल-डिब्बे को रेलवे सुरक्षा दल द्वारा रोक लिया गया है, नरेला स्टेशन के प्राधिकारियों ने इसकी सूचना दिल्ली मण्डल के मण्डल वाणिज्य अधीक्षक को दे दी जिन्होंने आवश्यक कार्रवाई के लिये इस मामले की रिपोर्ट

दिल्ली प्रशासन के खाद्य और सिविल सप्लाई विभाग को कर दी। माल गोदाम के कर्मचारियों ने भी यह सूचना दिल्ली पुलिस, सब्जी मण्डी को दे दी जिसने दिनांक 4-4-75 को अनिवार्य वस्तु अधिनियम की धारा 7 के अधीन एक मामला दर्ज कर लिया। जांच करने पर पता चला कि 221 बोरी चने की दाल लादे जाने की जो बात कही थी उसके बजा उस माल डिब्बे में 216 बोरी चावल लदा है। दिल्ली रेलवे पुलिस ने नरेला स्टेशन के एक रेलवे माल बाबू और तीन कमीशन एजेंटों को गिरफ्तार कर लिया है और वह आगे जांच पड़ताल कर रही है।

Licences Issued to M/s. Hoechst

8703. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state,

(a) the items of manufacture, licence number and date, letter of Intent and date, capacity granted to M/s. Hoechst during the last three years;

(b) what are the conditions of these Industrial licences/letters of intent, as stipulated originally;

(c) whether any of these conditions were amended subsequently and if so, facts thereof and the authority with whose approval these conditions were amended; and

(d) the comparative features of conditions as imposed originally and of those as stand now?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d). A statement indicating items of manufacture apprved in favour of M/s. Hoechst Pharmaceuticals Limited under industrial licences/letters of intent granted during the years 1972, 73 and 74, conditions imposed in the letters of intent/industrial licences, the details of amendments made if any is laid on the Table of the House. [*Placed in Library. See* No. LT- 9633/75].

Drug Cartel Plans operation Sabotage

8704. SHRI DHAVANKAR:
SHRI VASANT SATHE:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether attention of Government has been drawn to the news report appearing in the 'Blitz' dated 12th April, 1975 under the caption "Drug Cartel Plans operation sabotage";

(b) if so, what is the reaction of Government to the observation made therein; and

(c) steps taken in the matter?

THE DEPUTY MINISTER IN THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). The attention of the Government has been drawn to the news report appearing in the 'Blitz' dated 12th April, 1975 under the caption "Drug Cartel Plans operations sabotage". The report gives an exaggerated and distorted picture. It is not correct that the strains imported by Hindustan Antibiotics Limited for its Penicillin plant deteriorated in quality when developed at Pimpri. On the contrary HAL's R & D unit was able to develop from the original strains giving a productivity of 2000 units/ml,. new strains having a productivity of 10,000 units/ml. The strains supplied by M/s. Merck for streptomycin gave productivity claimed by them. However, subsequently, as Glaxo's high yielding strain for the production of streptomycin became available free of cost, the contract with Mercks was allowed to lapse. Further, as per information received from the Company no sorbitol was sold to any foreign drug companies for production of vitamin C as alleged. The plant for manufacture of 6 APA is still under construction and thus the question of using this capacity at present does

not arise. This product was purchased by the Company on the basis of global tenders. No Ampicilling bulk has been sold to John Wyeth or any other company. The bulk produced at H. A. L. is is being converted into formulations by HAL themselves for sale. The price of Sorbitol has been progressively revised by HAL from Rs. 6 per Kg. to Rs. 12.50 per Kg., from time to time based on cost of production and competitive prices. The allegation regarding the cases of labour taking out their frustration on machinery is not correct. As regards promotion of Sales Manager, it may be clarified that Shri Ranade has been promoted as Sales Officer by the HAL Board on the recommendations of the Slection Committee constituted by Board.

The steps taken to improve the working of the company include (i) introduction of a new strain for production of Streptomycin which has improved the economic viability of Streptomycin plant, (ii) proposed induction of a new strain for manufacture of Penicillin from Japan for which approval of the Government has already been communicated to the Company, (iii) appointment of a Task Force by the Government to go into the problems of manufacture of Vitamin C, and (iv) removal of the Superintendent and the Chief Engineer on the basis of a report submitted by a Committee of the Board of Directors of HAL etc. With these and other steps under way, it is expected that the performance of HAL would be streamlined.

Grant of Enhanced pension to Railway Pensioners

8705. SHRI K. MALLANNA: Will the Minister of RAILWAYS be pleased to state:

(a) whether railway pensioners have not so far been granted the enhanced pensions as announced by Government recently; and

(b) if so, the reasons for the delay?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No, Sir, the Railway Pensioners have been granted reliefs sanctioned from time to time.

(b) Does not arise.

Inter-Ministerial Committee on Unremunerative old Contracts with Wagon Industry

8706. SHRI S. A. MURUGANANTHAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have appointed an Inter-Ministerial Committee to examine the question of unremunerative old contracts outstanding on the wagon industry;

(b) if so, the salient features thereof; and

(c) what are its findings?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A committee consisting of representatives of the Ministry of Railways, Ministry of Industry and Civil Supplies and Wagon India (P) Limited has been appointed to examine the representations of the wagon industry for suitable revision of prices in the concluded contracts which are claimed to have become unremunerative.

(c) The committee have not yet finalised their recommendations.

Complaints regarding supply of Substandard Fuel to I.A.C.

8707. SHRI SHANKERRAO SAVANT: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is a complaint from the Indian Airlines that the Aviation Turbine Fuel and the high octane fuel supplied to it by the Indian Oil Corporation is sub-standard; and

(b) if so, what are the facts about it, how many times in the past were simi-

lar complaints made and what action has been taken against the delinquents?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b), There has been no complaint about the high octane fuel supplies to Indian Airlines being substandard. In December, 1974, at a few locations in Eastern Sector, samples of ATF collected by IAC from IOC's stocks to meet the silver strip corrosion test at the laboratory of the DGCA in Delhi, although these had passed the Carporation's periodic checks at the locations. On the basis of advice of DGCA, restrictions were imposed on the use of fuel from these locations for Aircrat fitted with Rolls Royce Engines.

During March, 1975 one batch of ATF produced in Barauni Refinery passing all the relevant tests and released to the Marketing Division, failed the silver corrosion test when a part of it lyinng in the refinery tank was re-checked in the Refinery's laboratery. The Marketing Division tested this batch received at various locations and found it failing this particular test. Thereupon the prodnct was declared off specifications and DGCA and IAC were told not to use this product as ATF.

An enquiry was conducted by Indian Oil Corporation which revealed that although the fuel produced by Barauni Refinery was meeting the specifications at the time of production and despatch, it failed at the DGCA's laboratery where testing is done after nearly a week's transit time taken by the samples. IOC has therefore, decided not to release ATF produced at Barauni refinery for sale during the next three months. During this period, detailed and thorough scientific investigations would be undertaken both in the processing units and at the refinery laboratory to find out the reasons regarding the instability of ATF, if any and also to take corrective measures.

रतलाम-बांसवाड़ा रेल मार्ग के लिए सर्वेक्षण कार्य का पूरा किया जाना

8708. **डा० लक्ष्मीनारायण पांडेय** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रतलाम बांसवाड़ा रेल मार्ग के लिए सर्वेक्षण कार्य पूरा हो चुका है और उससे आगे के कार्य की प्रगति हो रही है ;

(ख) प्रस्तावित रेल-मार्ग का कब तक निर्माण किये जाने की सम्भावना है; और

(ग) इस पर कितनी धिनरश खर्च होने की सम्भावना है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह):(क) सर्वेक्षण का काम प्रगति पर है।

(ख) सर्वेक्षण का काम पूरा हो जाने तथा पश्चिम रेलवे प्रशासन से उसकी रिपोर्ट मिल जाने के बाद ही इस लाइन के निर्माण के बारे में विचार किया जायेगा ?

(ग) सर्वेक्षण का काम पूरा हो जाने और प्राक्कलन को अंतिम रूप दे दिये जाने के बाद ही अनुमानित लागत का पता चल पायेगा।

Synthetic Nitric Acid Manufacturing Units

8709. **SHRI PRIYA RANJAN DAS MUNSI**: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how many industrial units (state-wise) for the manufacture of synthetic nitric acid of different strength from ammonia gas had been established so far in Government Sector and private sector and amongst these units which units have concentration plants for the manufacture of Conc. nitric acid (98-100 per cent);

(b) what is the production cost of synthetic nitric acid of different grades in Government sponsored plants and the private sector plants and what is their current ex-plant selling price;

(c) what is the total production of synthetic nitric acid by these units and the quantity spent for captive consumption for the manufacture of fertilizers and other products and what quantity is sold directly to the actual users and the traders for the last three years; and

(d) whether the price of synthetic nitric acid Ex-plant has recently been increased considerably; if so, reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d). Information is being collected and will be laid on the Table of the House.

Number of Judges in Supreme Court and High Courts

8710. SHRI P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of judges in the Supreme Court and in the High Courts of India;

(b) their full names;

(c) whether Executive and Judiciary are deeply divided on the selection and nomination of the judges; and

(d) whether Government are aware that the volume of pending cases is tremendous and is growing fast and if so, what corrective steps are taken to improve the situation?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) As on 1-5-1975, there are 13 Judgess in the Supreme Court and 296 Judges in the various High Courts.

(b) A statement giving the information is laid on the Table of the House. [*Placed in Library. See* No. LT-9634/75].

(c) No, Sir.

(d) Government are aware of the pendency of cases in the Supreme Court and in the various High Courts. A statement indicating the various steps taken to reduce the pendency is attached.

न्यायालय शुल्क को समाप्त करने का विधि आयोग का सुझाव

8711. श्री रामरतन शर्मा :
श्री अटल बिहारी वाजपेयी :
श्री फूल चन्द वर्मा :
श्री हेमेन्द्र सिंह बनेरा :
श्री आर० वी० स्वामीनाथन :

क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विधि आयोग ने न्याय को सस्ता बनाने के लिए न्यायालयों के शुल्क को पूरी तरह समाप्त करने अथवा उसमें भारी कमी करने का सुझाव दिया है ।

(ख) यह सुझाव कब दिया गया था;

(ग) इस बारे में क्या कार्यवाही की गई है, और

(घ) राज्य सरकारों की इस बारे में पृथक-पृथक क्या प्रतिक्रिया है ।

विधि, न्याय और कम्पनी कार्य मंत्री (श्री एच० आर० गोखले) : (क) और (ख) विधि आयोग ने, न्यायिक प्रशासन के सुधार विषयक अपनी 14वी रिपोर्ट मे, जो 26-9-1958 को प्रस्तुत की गई थी, सिफारिश की है कि सारे देश मे न्यायालय फीस के मापमान मे कमी की जाए और मोटे तौर पर उन्हे एक समान बनाया जाए ।

(ग) और (घ). उच्चतम न्यायालय और संघ राज्यक्षेत्रो के सम्बन्ध मे छोड़कर, न्यायालय फीस राज्य सरकारो की अनन्य अधिकारिता के भीतर आने वाला विषय है, इसलिए ये सिफारिशे कार्यान्वयन के लिए राज्य सरकारो को भेज दी गई थी । न्यायालय फीस को युक्तिसगत बनाने के लिए सिफारिशे करने की संभावना पर विचार करने की दृष्टि से विभिन्न राज्यो मे न्यायालय फीस की दरो की वर्तमान स्थिति के बारे मे जानकारी इकट्ठी की जा रही है ।

Change in Policy for Oil Exploration after oil find in Bombay High

8712. SHRI MOHINDER SINGH GILL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether after the oil find in Bombay High, Government have made some radical changes in the official policy and approach in the search for indigenous oil,

(b) if so, whether earlier long delays between discovery and exploitation of oil reserves are also being cut considerably; and

(c) what are the other major changes which are sought to be brought about in the above context as well as that for covering financial hurdles with a view to make India self-sufficient?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). It has been and is Government's policy to find more and more indigenous crude oil. With the existing oil crisis—the world over—efforts in search of oil and to exploit the already discovered oil resources, as much as feasible, have been intensified It is also Government's endeavour not to allow financial constrains to stand in the way of realisation of the objective to achieve self-sufficiency in oil.

Raids on Drug Manufacturing Companies in Delhi

8713. SHRI H. K. L. BHAGAT.
SHRI N. R. VEKARIA:
SHRI D. P. JADEJA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of raids conducted on Drug manufacturing companies in Delhi during the last year;

(b) the discoveries made in the raids; and

(c) action taken as a result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). Information is being collected and will be laid on the Table of the House.

Applications for setting up of Chemical Industries in Kerala

8714. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of applications received by the Central Government upto December, 1974 for industrial licences for setting up chemical industries in Kerala; and

(b) the number of applications out of them disposed of?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHR C. P. MAJHI): (a) and (b). A total number of 20 industrial licence applications were received between 1971 and 1974 for the setting up of new undertakings for the manufacture of chemicals in Kerala. The action taken thereon is indicated below:

No. of cases in which letters of intent were issued.	10
No. of cases in which licences were issued.	1
No. of cases in which the applications were rejected.	16
No. of cases in which the applications were otherwise disposed of.	2
No. of cases pending.	1

नेपाल को कोयले की सप्लाई के लिए प्राथमिकता के आधार पर वैगनों का आवंटन

8715. **श्री जनेश्वर मिश्र** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस बात की जानकारी है कि नेपाल को कोयले की सप्लाई के लिए प्राथमिकता के आधार पर रेलवे वैगन दिये जाते हैं ;

(ख) क्या नेपाल को जाने वाले कोयले के ये वैगन उत्तर प्रदेश के बस्ती जिले के बढ़नी, सोहरत गढ़ और अन्य स्टेशनों पर ही रुक जाते हैं ; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) जी हां ।

(ख) जी हां । नेपाल को निर्यात वाले कोयले की ढुलाई के लिए निर्धारित कुछ माल डिब्बे अन्य स्टेशनों के साथ साथ सोहरतगढ़ और बरनी को भी रुक दिये जाते हैं ।

(ग) कोयले के आनुषंगिक परिवहन की सुविधा के उद्देश्य से, नेपाल सरकार भारत-नेपाल सीमा के समीप पूर्वोत्तर रेलवे के विभिन्न स्टेशनों पर कोयला प्राप्त करता है ।

Demand of 'approved standard yardstick' of S and T Staff

8716. SHRI CHANDRIKA PRASAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether the representatives of Signal and Telecommunication Staff were assured by the administration at the time of Negotiation on 'work to rule agitation in December, 1973 that their demand on an 'Approved standard yardstick' will be met with and implemented within six months;

(b) if so, whether any such standard yard stick for Signal and Telecommunication staff has been prepared by the Railway Board;

(c) if so, what are the details of this 'yardstick' and by what time, the same shall be implemented; and

(d) if not, what are the reasons for delay?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (d). The suggestion made by the Committee of Chief Signal and Telecommunication Engineers is under study. With the rapid changes in technology and use of sophisticated items, revision of yardstick is a very time consuming and difficult process. Meanwhile, depending on the needs at various situations, as found out in actual working, staff are being deployed.

'रनिंग स्टाफ' श्रेणी के अन्तर्गत आने वाले कर्मचारियों को अतिरिक्त सुविधाएं

8717. **श्री शंकरदयाल सिंह :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) भारतीय रेलवे मे कौन-कौन से कर्मचारियों को रनिंग स्टाफ की श्रेणी मे रखा गया है और इस श्रेणी के कर्मचारियों को क्या अतिरिक्त सुविधायें दी गई है; और

(ख) क्या टिकट जांच कर्मचारी (टिकट चैकिंग स्टाफ) भी इस श्रेणी के अन्तर्गत आते है और यदि नही, तो क्या सरकार का विचार इन कर्मचारियों को भी इस श्रेणी में सम्मिलित करने का है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) ड्राइवर (मोटरमैनो और रेल मोटर ड्राइवरो सहित), फंटर, सहायक ड्राइवर (बिजली) और ड्राइवर के सहायक (फोजन) सहित फायरमैन, गार्ड तथा ब्रेक मैन रनिंग कर्मचारी की कोटि में आते हैं और इन्हे रनिंग भत्ता दिया जाता है। रनिंग भत्ते को अलग-अलग अनुपात में कुछ प्रयोजनों के लिए वेतन के रूप में भी माना जाता है। इनके लिए रनिंग रूम की सुविधाएं भी उपलब्ध हैं।

(ख) जी नहीं। टिकट जांच कर्मचारियों को रनिंग कर्मचारियों की कोटि में रखने का सरकार का कोई विचार नही है।

Scheme for providing legal aid and Advice to poor in Maharashtra

8718. SHRI SOMNATH CHATTERJEE. Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any memorandum has been received from the Bar Council of Maharashtra regarding scheme formulated for providing legal aid and advice to the poor;

(b) if so, Government's reaction thereto, and

(c) whether Government have formulated any scheme for legal aid and if so, the nature and the provisions thereof and the date of its implementation?

THE MINISTER OF STATE IN THE MINISRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI). (a) The Chairman of the Bar Council of Maharashtra has forwarded a draft scheme to render legal aid and advice in the State of Maharashtra.

(b) The Scheme has been forwarded to the Bar Council of India, and the Government of Maharashtra for comments.

(c) No, Sir.

C.I.A. bid to scuttle Soviet-Aided Tube Railway Project

8719. SHRI NAWAL KISHORE SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether his attention has been invited to a report which was published in the 'Blitz' dated the 5th April, 1975 under the heading "CIA bid to scuttle Soviet-aided tube railway project"; and

(b) if so, the reaction of Government thereto and the steps taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) The Ministry of Home Affairs have no information that a strong anti-Soviet lobby in political and administrative circles in Delhi inspired by the C. I. A. is out to scuttle the country's first tube railway in Calcutta.

Increasing production of soaps by Hindustan Lever Limited

8720. SHRI S. M. BANERJEE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Hindustan Lever Limited is taking advantage of the exemption granted to noodles so as to surreptitiously increase the quantity of their soaps available for sale by

(i) bringing out part of their production in the form of noodles and getting them into tablet shape by a number of small scale soap manufacturers surreptitiously; and

(ii) selling such tablets under the brand name of Sunlight by simply putting on their stamp on such product; and

(b) if so, what steps Government have been taken to check this malpractice?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). It is understood from M/s. Hindustan Lever Limited that soap noodles manufactured by them and accounted for in their monthly soap production returns are supplied to three units in the small scale sector who finish the soap by packings, stamping and wrapping to the specifications of M/s. Hindustan Lever. The question whether this activity contravence the provisions of the Industries (Development & Regulation) Act, 1951 is being examined.

Implementation of Law relating to Scheduled Castes and Scheduled Tribes

8721. SHRI GIRIDHAR GOMANGO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any proposals for legislation or Bills are pending with the Government of India relating to the Scheduled Castes, Scheduled Tribes and weaker sections of the society;

(b) if so, what are those;

(c) the agencies proposed to be created by the States and Centre to implenment the same to give justice to these people; and

(d) how far the Acts which are in the process of implementation have achieved their aims and objectives?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) to (c). Proposals to revise lists of Scheduled Castes and Scheduled Tribes are under consideration. Consultations are also in progress with State Governments regarding the adequancy of existing legislation to prevent alienation of lands belonging to tribals, to curb money lending to provide relief against indebtedness, and more objectionable practices, such as, bonded labour. In case it is found necessary to constitute new agencies or strengthen existing agencies in the States or at the Central level to implement any of the legislative objects details of such agencies would be furnished at the appropriate time in the Bills to be introduced for the purpose.

(d) A review of the working of the existing Acts concerning the Scheduled Castes and Scheduled Tribes is given in the Annual Reports of the Commissioner for Scheduled Castes and Scheduled Tribes which are laid before Parliament.

Offshore Oil Drilling in Ramanathapuram District of Tamil Nadu

8722. SHRI THA KIRUTTINAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) whether any offshore drilling for oil has been conducted in Ramanathapuram District of Tamil Nadu, and

(b) if so, the broad features thereof and the results achieved?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) No, Sir.

(b) Does not arise.

Reinstatement of Railway Employees Charged with Violence and Sabotage

8723. PROF. MADHU DANDAVATE: Will the Minister of RAILWAYS be pleased to state:

(a) how many Railway employees out of 440 against whom cases were pending in the courts on charge of violence and sabotage as per reply to Unstarred Question No. 5452 on the 8th April, 1975, were found guilty of these charges;

(b) whether the rest of the Railway employees have been reinstated, and

(c) if not, by what time they will be reinstated?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). The information is being collected and will be laid on the Table of the House.

Rigs Working in Bombay High

8724. SHRI P. R. SHENOY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the total number of rigs working at present at Bombay High and the number of additional rigs that will be deployed; and

(b) the time by which oil from Bombay High will come to the market according to the latest indications?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) One rig 'Sagar Samrat' is presently working in Bombay High and two additional rigs are expected to be deployed there by September—November this year.

(b) while ONGC has to drill a few more wells in Bombay High to assess the production potential of this structure, it is taking action to set up an intermediate stage of production so as to produce oil from there at the rate of about one million tonnes per annum during 1976-77.

Proposal to defer broad gauge line in place of former Martin Light Railway

8725 SHRI M. S. PURTY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to defer the construction of the broad gauge line in place of former Martin Light Railway;

(b) if so, the reasons therefor; and

(c) by when construction work is likely to be undertaken and completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

(c) Construction of following new B.G. lines in lieu of the Light Railway Lines formerly owned and run by Martin Burn Ltd. has been approved. The position in despect of each project is as under:

1. *Shahdra-Saharanpur.*

Construction is in progress. The project is likely to be completed by 1.4.1979.

2. *Mowrah-Atma & Bargachia Champadanga Light Railway.*

The work has been approved and will be taken up, as soon as land is made available by the West Bengal State Government to the Railways. The target date for the completion of this project is 1.4.1979.

3. *Howrah-Sheakhala B. G. Line.*

The work has been approved on the basis that 50 per cent of the cost would be borne by the State Government. The line will be taken up for construction after confirmation is received from the State Government regarding sharing of the cost.

Recommendations of Hathi Committee on Price Control of Drug Formulations

8726. SHRI VEKARIA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the main recommendations made by the Hathi Committee on Drugs and Pharmaceuticals on the price control on drug formulations under a new formula; and

(b) the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLUEM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The Report of the Committee on drugs and Pharmaceutical Industry was received by Government on the 6th April, 1975 and is receiving its attention.

Cases of under-charges of Freight detected

8727. SHRI BIRENDER SINGH RAO: Will the Minister of RAILWAYS be pleased to state:

(a) whether there have been a number of cases of under-charging of freight for railway consignments on various Railways;

(b) if so, the number of cases detected in each zone during the last three years, year-wise;

(c) whether it is also a fact that in several cases, lower rates have been charged for various consignments; and

(d) if so, what is the estimated loss to the Railways on this account and what steps Government have taken to prevent such leakage of revenue?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (d). The information is being collected and will be laid on the table of the Sabha.

Accommodation for Essential Staff

8728. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether over 56 per cent of the essential staff of the Indian Railways have been provided upto this day with Government residential accommodation;

(b) whether essential staff are required to be called on duty at any odd hours during day or night and thus are required to reside near their place of work; and

(c) if so, by when Government propose to provide residential accommodation to the remaining 44 per cent of the essential staff?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes. About 56 percent of essential staff on Indian Railways are housed.

(b) Those categories of essential staff who are required to be called for duty at odd hours during day or night receive priority in the provision of quarters near the place of their work, to the extent possible.

(c) Provision of residential accommodation for the staff is a continuous process. Quarters are constructed on a programmed basis according to the availability of funds.

Quality of oil collected from fourth site in Bombay High

8729. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the sample of 500 tonnes crude collected from the fourth drilling site on the Bombay High has undergone tests at the Hindustan Petroleum refinery;

(b) the facts thereof; and

(c) the difference noticed in the structure of this oil as compared to the samples collected from the previous three sites?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). A small quantity of crude oil collected from the fourth oil well in the Bombay High field was processed in the Hindustan Petroleum Corporation refinery. Since the quantity of oil was small, no separate results are available. Samples of oil have been collected from the fourth well by the ONGC for detailed tests. The tests are being carried out and results are yet to be known.

Relationship of Maruti Heavy Vehicles Limited with Maruti Ltd. Haryana and Maruti Technical Consultancy Service

8730. SHRI JYOTIRMOY BOSU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 5469 on the 8th April, 1975 regarding Shareholders of Maruti Heavy Vehicles Ltd. and State:

(a) the names and particulars of Companies in which the Directors of Maruti Heavy Vehicels Ltd. have interests either as Directors or as shareholders;

(b) what is the relationship between Maruti Heavy Vehicles Ltd. on the one hand and Maruti Ltd., Haryana and Maruti Technical Consultancy Services Ltd. on the other; and

(c) who are the eight other shareholders of Maruti Heavy Vehicles Ltd. besides four shareholders whose names have already been given in reply to part (b) of Unstarred Question No. 5469 on 8th April, 1975 and value and number of shares held by each of the eight other shareholders?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) M/s. Maruti Heavy Vehicles (P) Ltd. has not so far filed its first Annual Return under Section 159 of the Companies Act, 1956 with the Registrar of Companies, Delhi & Haryana. It is, therefore, not possible to furnish complete particulars of the other companies in which Directors of Maruti Heavy Vehicles Pvt Ltd. have interests as Directors or shareholders.

(b) One of the Directors of Maruti Heavy Vehicles Pvt. Ltd. is also a director of Maruti Ltd. and Maruti Technical Services Private Ltd.

Maruti Heavy Vehicles Pvt Ltd. is a subsidiary of Maruti Technical Services Pvt. Ltd. (There is no company by the name of Maruti Technical Consultancy Services Ltd.).

(c) The details are furnished below:—

Name of shareholder	No. of equity shares of Rs. 10/- each held
1. Shri Sanjay Gandhi .	5,000
2. Smt. Sonia Gandhi . .	5,000
3. Shri Rajiv Gandhi . .	2,400
4. Shri Kishan Lal Jalan .	6,000
5. Shri Pawan Kumar Jalan .	3,500
6. Shri Suresh Kumar Jalan .	2,500
7. Smt. Lakshmi Devi Jalan	5,000
8. Shri Shiv Kumar Jalan .	2,500

Condition of Refreshment Room at Ghaziabad

8731. SHRI MAHADEEPAK SINGH SHAKYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the refreshment room at Ghaziabad Station is functioning in most insanitary and unhygienic conditions; and

(b) if so, what steps Government propose to take in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise. However, it is pointed out that the refreshment room is at present in a termporary location and it is proposed to shift it to the proper place at rooms occupied unauthorisedly by the ex-contractor as soon as they are got vacated.

Shareholders of Maruti Ltd., drilling Equipment (P) Ltd., Maruti Technical Services (P) Ltd. and Maruti Heavy Vehicles (P) Ltd.

8732. SHRI JAGANNATHRAO JOSHI:
SHRI ATAL BIHARI VAJPAYEE:
SHRI R. V. BADE:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) names of persons and families and firms and companies who hold two hundred shares or more in any of the following four companies: (1) Maruti Ltd., (2) Drilling Equipment (P) Ltd., (3) Maruti Technical Services (P) Ltd., and (4) Maruti Heavy Vehicles (P) Ltd.;

(b) out of these share-holders what are the names of those against whom there are charges of economic offences; and

(c) which of these share-holders hold more than 200 shares in concerns belonging to the top 30 big houses in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) The information asked for would be available in the annual return to be filed by the companies with the Registrar of Companies, Delhi & Haryana These returns are open for public inspection.

(b) There is no record available at any one place which would show the pending cases, if any, pertaining to economic offences committed by a particular person.

(c) The details of the shareholdings in the companies referred to are available in the annual returns filed with the Registrars. These returns are open to inspection by public.

Nationalisation of Companies

8733. SHRI C. JANARDHANAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether many private companies have become Government Companies and the capital owned therein by virtue of certain provisions of the Companies Act;

(b) if so, the names of such companies and the capital owned therein by Government and other State owned financial institutions;

(c) whether Government have a proposal under consideration to nationalise these companies; and

(d) if so, the salient features thereof and if not, what alternative measures are proposed to be taken to ensure the safety of investments and fair returns to the investors?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). The information in being collected and will be laid on the table of the House.

(c) This Department has no information in the matter.

(d) Does not arise.

Takru Commission Inquiry into Haldia-Barauni Pipeline Project

8734. SHRI INDRAJIT GUPTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how far the Takru Commission has progressed with its inquiry into the Haldia-Barauni pipeline project;

(b) the time already consumed by the Commission and reasons for the inordinate delay in completing its work;

(c) whether the commission does not sit for more than 2 or 3 hours daily; and

(d) by when the Commission's report can be expected?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAITHI): (a) The Commission has recorded evidence of all the parties and heard arguments on all the terms of reference except two. Agruments on the remaining two terms are expected to be completed within about a month. Simultaneously, the preparation of the report is also in progress.

(b) The Commission was constituted in August, 1970. It has not been able complete its work so far due to various factors, such as, the time taken by the parties in filing the written statements, wide ranging nature of the issues and large number of parties involved, perusal of large number of files/documents, time taken in examination and cross examination of the witnesses, recording the evidence and hearing the arguments and illness of the Chairman of the Commission.

(c) Except under constraint on medical advice, the Commission has been generally sitting for five hours daily.

(d) The Commission is expected to submit its report in August, 1975.

औषधियों के उत्पादन और वितरण के लिये एक निगम की स्थापित करने की योजना

8735. **श्री श्रीकृष्ण अग्रवाल:**
श्री बयालार रवि :

क्या पैट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राज्य सरकारों से विचार विमर्श करने के पश्चात् ग्राम जनता के लिए औषधियों के वितरण तथा उत्पादन को सुचारु रूप से चलाने के लिए एक निगम स्थापित करने की योजना सरकार के विचाराधीन है ;

(ख) यदि हां, तो उसकी मुख्य बातें क्या हैं ; और

(ग) इस प्रस्ताव पर विभिन्न राज्य सरकारों की क्या प्रतिक्रिया है ?

पेट्रोलियम और रसायन मंत्रालय में उपमंत्री (श्री सी० पी० माथी) : (क) से (ग). केन्द्रीय स्वास्थ्यपरिषद् तथा केन्द्रीय परिवार नियोजन परिषद् की 5 से 7 अप्रैल, 1974 को नई दिल्ली में हुई संयुक्त बैठक में ग्रामीण क्षेत्रों में प्रारम्भिक स्वास्थ्य केन्द्रों के लिए औषध के सम्बन्ध में निम्नलिखित संकल्प स्वीकार किया गया था :—

"जनता के लिए औषध कार्यक्रम के लिए भारत सरकार के सुझाव की सराहना करते

हुए तथा उचित मूल्यों पर अच्छी किस्म की औषधियां उपलब्ध करने की आवश्यकता को समझते हुए और यह नोट करते हुए कि अधिकतम लाभ आवश्यकताओं को इकट्ठा कर के तथा उच्चतर पिलकर प्रूफ टकनीक से होता है केन्द्रीय स्वास्थ्य परिषद् और परिवार नियोजन परिषद् की संयुक्त बैठक एक समिति की स्थापना की सिफारिश करती है जो सामान्य रूप से सहमत औषधों के लिए राज्यों तथा संघीय शासित क्षेत्रों की आवश्यकताओं को इकट्ठा करके औषध उपलब्ध करने के प्रश्न पर तथा चयन किये गये निर्माताओं को कच्चा माल सप्लाई करने और मूल्य निश्चय करने पर विस्तार पूर्वक विचार करेगी। राज्य/संघीय शासित क्षेत्र बदले मे माल उठाने तथा औषधों के मूल्य अदायगी के लिए उत्तरदायी होंगे।

उपरोक्त निश्चय के अनुसरण मे सरकार ने इस प्रश्न की जांच करने तथा विस्तृत रिपोर्ट देने के लिये एक कार्य कारी दल की नियुक्ति की थी। कार्यकारी दल ने राज्य सरकारों तथा संघीय क्षेत्रों से सम्बद्ध आकड़े एकत्र करने के उपरान्त अन्य बातों के साथ यह सिफारिश की कि लाखों के लिए औषध कार्य क्रम का निष्पादन केन्द्रीय संगठन को सौंपा जाय। जिसकी कम्पनी अधिनियम 1956 के खण्ड 25 के अन्तर्गत एक सरकारी कम्पनी के रूप मे पुन रचना की जाये और यह केन्द्रीय संगठन मेडीकल स्टोर विभाग फैक्ट्रीज राजकीय सरकार भेषज फैक्ट्रीज तथा लिस्ट के अनुसार आम औषधों तथा घरेलू उपचारों के उत्पादन में लगे हुए केन्द्रीय सरकार तथा राज्य सरकार के उपक्रमों की क्षमता को प्रत्येक की क्षमता को अंशशादन के बिना परन्तु परिवहन और लागत मे बचत को ध्यान मे रखते हुए इकट्ठा करेगा।

श्री जय सुख लाल हाथी के नेतत्व मे औषध एवं भेषज समिति ने अपनी रिपोर्ट 6-4-75 को प्रस्तुत की थी। रिपोर्ट औषध उत्पादन और वितरण सहित उद्योग के विभिन्न पहलुओं पर है। एम० एस० संगठन का कम्पनी अधिनियम 1956 के खण्ड 25 के अन्तर्गत एक सरकारी कम्पनी म परिवर्तन के प्रस्ताव पर भी समिति की सिफारिशों के सदर्भ मे विचार किया जा रहा है।

Decision to Appoint Government Directors in Companies Associated with Shri R. N. Goenka

8736. SHRI BHOGENDRA JHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS, be pleased to refer to the reply given to Unstarred Question No. 6116 on the 15th April, 1975 regarding enquiries and cases pending against Shri R. N. Goenka and concerns associated with him and state whether any final decision has been taken to appoint Government Directors in the Andhra Prabha Limited; Express Newspapers Private Limited Indian Express (Madurai) Private Limited and Indian Express (Bombay) Private Limited and if so, the particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): In both the cases of Andhra Prabha Private Limited and Indian Express (Bombay) Private BRATA BARUA): In both the cases of namely Shri R Rajagopalan, Chief Cost Accounts Officer, Ministry of Finance and Prof. K. T. Merchant were appointed under section 408 of Companies Act, 1956, with effect from 19th November, 1973 and 4th December, 1972 respectively, for a period of two years.

In the cases of Indian Express (Madurai) Private Limited and Express Newspapers Private Limited, show cause notices were issued and the replies were received. The two companies, however filed writ petitions in the Madras High Court against the action initiated by the Government and the Court ordered interim injunctions. The matters are thus *sub-judice*.

Proposal to give representation to Backward classes in the Deliberative Wing of Govt.

8737. SHRI BHARAT SINGH CHOWHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware of the fact that representation of Backward Classes in the political fields of the country is totally negligible even after the lapse of 28 years of attainment of freedom; and

(b) if so, their number of M.L As., M.L.Cs. and M.Ps. State-wise; and

(c) how Government propose to give them some representation in the deliberative wing of the Government?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) to (c). Under articles 330 and 332 of the Constitution, provision has been made for representation for Scheduled Castes and Scheduled Tribes only in the House of the People and in the State Legislative Assemblies. The question of representation of "Backward Classes" in the Legislatures does not arise.

Benefit of Employment to loyal Railway employees for Class I and II officers

8738. SHRI LALJI BHAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the recruitment for the wards of those employees who remained loyal during May, 1974 strike, has been made in different categories of class III services;

(b) if so, whether this benefit was meant for class III and IV Railway employees whose Union had given the call for this strike;

(c) whether the call for strike was also given by the Association of Class I and II officers; and

(d) if not, reasons for extending this incentive to Class I and II officers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a). Ye-

(b) and (d) The benefit was meant for all classes of Loyal Railway employees who showed conspicuous devotion to duty in the face of violence and intimidation, against certain percentage of vacancies in Class III and IV categories.

(c) No.

SC|ST Doctors working as D.M.Os. in Indian Railways

8739. SHRI A. S. KASTURE: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of Divisional Medical Officers all over the Indian Railways,

(b) the number of Divisional Medical Officers belonging to Scheduled Caste|Scheduled Tribe;

(c) whether the Scheduled Caste/Scheduled Tribe doctors are adequately represented as Divisional Medical Officers as per the perecentage fixed by the Government of India; and

(d) what measures are contemplated to recruit Scheduled Castes/Scheduled Tribes doctors as Divisional Medical Officers for achieving the required percentage of Divisional Medical Officers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) 112.

(b) Scheduled Caste : 6

Scheduled Tribes : 3

(c) The adequacy of representation of Scheduled Caste and Scheduled Tribe doctors as Divisional Medical Officers has to be appreciated in the

context of the fact that the reservation quota of 15 percent for Scheduled Castes and 7-1/2 percent for Scheduled Tribes is applicable with reference to the number of vacancies filled in a year and is not related to the total strength of staff in a cadre.

(d) Direct recruitment of Divisional Medical Officers is made through Union Public Service Commission who apply relaxed standards for considering Scheduled Caste/Scheduled Tribe candidates. Reserved vacancies which are not filled are carried forward and readvertised in accordance with extent instructions. The reservation for Scheduled Caste/Scheduled Tribe in promotion has been introduced recently and this will be followed when promotions to Divisional Medical Officers from amongst Assistant Medical Officers are made.

Extension to Class II Section Officers in Railway Board

8740. SHRI G. P. YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) the names of class II Section Officers in Railway Board's office who have been given extension in service and/or re-employment beyond the age of 58 years since 1974; and

(b) the names of those who would be completing the present term of extension in service and/or re-employment during 1975 on attaining the age of 59 years?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a). While no Section Officer has been given re-employment, the following Section Officers have been granted extension of service since 1974:—

(i) Shri V. J. Patki

(ii) Shri R. S. Saroha

(iii) Shri S. K. Dubey

(b) The following Section Officers would complete the present term of extension in service during 1975 on attaining the age of 59 years:—

(i) Shri V. J. Patki

(ii) Shri R. S. Saroha.

Doubling of Railway Track between Delhi and Garhi Harsaru and Rewari Khalilpur line

8741. SHRI MUKHTIAR SINGH MALIK: Will the Minister of RAILWAYS be pleased to state:

(a) whether six trains cross one another between Garhi Harsaru Junction and Khalilpur railway stations on Delhi-Rewari line and whether a train is delayed by the late arrival of another train; and

(b) if so, the reasons for not doubling this portion of railway track?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No, as per schedule only 5 up trains cross with 5 Down trains at stations between Garhi Harsaru Junction and Khalilpur station on Delhi-Rewari section. On single line section detention to one train for crossing with the other in the event of one of the two trains running late is inevitable.

(b) As the conversion of the entire metre gauge section from Delhi to Sabarmati including Delhi-Rewari section to Broad Gauge is under consideration, doubling of the Khalilpur-Garhi Harsaru single line portion of the metre gauge is not being considered at present.

Dismissal of class IV officials under Dy. C.M.E. Izatnagar (North Eastern Railway)

8742. SHRI MOHAN SWARUP: Will the Minister of RAILWAYS be pleased to state:

(a) whether more than one class IV officials were removed from service,

under the Dy. Chief Mechanical Engineer, N.E. Railway Izatnagar, by the same person who made enquiries against them under the Disciplinary Appeal Rules;

(b) if so, whether the provisions of relevant articles of the Constitution of India and the directives issued by the High Court, holding the above action, *Ultra-vires* were violated in their cases;

(c) if so, the reasons therefor; and

(d) whether any appeal has been preferred by the affected officials, if so, how has the same been disposed of, if not, reasons for delay in settlement of their cases?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (d) Information is being collected and will be laid on the table of the Sabha.

World Bank Loan to Indian Railways

8743. SHRI S. N. MISRA: Will the Minister of RAILWAYS be pleased to state:

(a) the amount of loan received by the Railway Board from the World Bank during the last three years, year-wise; and

(b) whether the loans have been properly utilised and if so, the projects on which these loans have been received?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). 1 No loans have been received from the World Bank during the last three years. However, two credits aggregating to $ 155 million (equivalent to about Rs. 118.60 crores) have been received by the Indian Railways during the last three years from the International Development Association, an affiliate of the World Bank, as indicated below.

Agreement No. and date	Amount in US Dollars (in Millions)	Amount in Rupees equivalent (in crores)
280-IN dated 24-1-72	75·00	54·60
448-IN dated 21-12-73	80·00	64·00
	155·00	118·60

2. Credits from the International Development Association carry no interest but only a service charge of 0.75 percent per annum and are repayable in 50 years with a moratorium on repayment for the first ten years.

3. These credits have been obtained in connection with Indian Railways' programme for rehabilitation, modernization, expansion and increase in capacity and are utilised for the import of components and raw materials for the manufacture of rolling stock, items for track renewal and bridge works, Line capacity works, signalling and electrification schemes and Plant and Machinery.

Proposal to introduce corridor system in local trains to prevent crimes

8744. DR. RANEN SEN: Will the Minister of RAILWAYS be pleased to state:

(a) whether West Bengal Government have made a proposal to his Ministry to introduce the corridor system in local trains as a measure to prevent crimes in local trains; and

(b) if so, salient features of the proposal and the reaction of the Ministry thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

Publication of revised T.A. Rules of Railway Employees

8745. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of RAILWAYS be pleased to state:

(a) whether a notice intimating that T.A. Rules of Railway Employees were being revised was published in Railway Gazette in June|July 1974 and the employees were advised to hold back their T.A. Bills if they so desired;

(b) has the same been finalised and made applicable; and

(c) if not, when the said rules are likely to be finalised and made applicable?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Instructions were issued to Railways in April, 1974 to the effect that pending the issue of revised Travelling Allowance rules with reference to the recommendations of the Third Pay Commission, staff should continue to draw Travelling Allowance in accordance with the existing rules and with reference to the pay they would have been entitled to had they not come over to the revised scales introduced with effect from 1st January, 1973.

(b) The matter is under the active consideration of Government

(c) It is not possible to indicate at this stage when the revised orders will be issued.

Victims of Railway accidents occurred after the passing of the Indian Railways (Second Amendment) Bill, 1973

8746. SHRI N. K. SANGHI: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of passengers killed in railway accidents after the passing of the Indian Railways (Second Amendment) Bill 1973 by the Parliament on 29-11-1973;

(b) in how many cases compensation has been given to the families of the deceased; and

(c) the delay in payment of compensation in respect of others and the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) During the period 29th November, 1973 to 31st March, 1975, one hundred and forty-five passengers were killed in train accidents in the categories of collisions, derailments, level crossing accidents and fires in trains, on the Indian Government Railways.

(b) No compensation has so for been paid.

(c) The claims that have been received are pending with the Claims Commissioners who are the competent authorities to enquire into and dispose of such claims.

Scheduled Caste and Scheduled Tribes temporary employees in the Ministry of Law, Justice and Company Affairs

8747. SHRI S M. SIDDAYYA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of Scheduled Caste and Scheduled Tribe temporary employees in Class I. Class II, Class III and Class IV posts in his Ministry and its attached and subordinate offices, as on the 30th June, 1974,

(b) number amongst these who had completed three years service on that date; and

(c) reasons for not declaring those mentioned in (b) above as permanent?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) to (c). The information is being collected and will be laid on the Table of the House.

Separate Branches of Company Law Board

8748. SHRI P. M. MEHTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are considering any proposal to have separate branches of the Company Law Board; and

(b) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) No, Sir.

(b) *Does not arise*

Promotion of eligible staff against existing vacancies (Western Railway)

8749. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No 6121 on the 9th April, 1974, regarding Memorandum by Commercial Clerks on General Manager and Chief Superintendent, Western Railway and state:

(a) whether the suitability test of all those eligible staff as promised has since been conducted;

(b) if so, the date on which the test was conducted, the names of the candidates who appeared and who have been declared successful;

(c) if not, the reasons for the delay and the time by which it is likely to be held; and

(d) whether Government will find out that the suitability test is not intentionally delayed to deprive the eligible staff from their due right?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Suitability test has not yet been held.

(c) and (d). The reasons for the delay are being ascertained. It will, however, be ensured that the suitability test is held without any further avoidable delay.

Cases pending against M/s. Bangur and Company under MRTP Act

8750. SHRI S. N. SINGH DEO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether a number of cases are pending against M/s. Bangur & Co. under MRTP Acts; and

(b) if so, the facts of the cases, date-wise and the action taken in each case?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) There is no case pending against any company named M/s. Bangur & Co., under the M R T.P. Act, 1969.

(b) Does not arise.

New regulations about acceptance of deposits by non-banking, non-financial companies

8751. SHRI MADHU LIMAYE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have issued any new regulations about the acceptance of deposits by the non-banking, non-financial companies,

(b) if so, the details of the definitions of different categories of deposits and of the new restrictions imposed on their acceptance; and

(c) the penalties to be imposed for violating the directions in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Yes, Sir.

(b) The provisions relating to the different types of deposits and the extent to which they can be accepted are contained in the Companies (Acceptance of Deposits) Rules, 1975, which were laid on the table of the House on 21st March, 1975.

(c) Section 58A(6) of the Companies Act, 1956, read with Rule 11 of the Companies (Acceptance of Deposits) Rules, 1975 provides for the penalty for any of the contraventions.

Applications for setting up Caustic Soda Plant in Andhra Pradesh

8752. SHRI Y. ESWARA REDDY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Central Government are aware of the growing demand of Caustic Soda in Andhra Pradesh;

(b) if so, the action taken upon the applications for letters of intent for setting up Caustic Soda units by the Andhra Pradesh Industrial Development Corporation Ltd. (S. No. CLP|2468|73) and two private parties namely M|s. Khandelwal Ferro-Alloys Ltd., New Delhi (S. No. 1475|CLP|71) and M|s. Continental Chemicals, Nellore; (S. No. 2728/CLP/72); and

(c) if decision is pending the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). Keeping in view the demand for Caustic Soda in the country by the end of Fifth-Five Plan and also the need for establishment of one additional unit in the State of Andhra Pradesh, adequate capacity has been approved by issue of licences/letters of intent including a letter of intent to Andhra Pradesh Industrial Development Corporation Ltd. The other two applications of M/s. Khandelwal Ferro-Alloys Ltd. New Delhi and M/s. Continental Chemicals, Nellore have been rejected as adequate capacity has been covered.

Supply of Raw Material for Chemical Industries in Orissa

8753. SHRI ANADI CHARAN DAS: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Central Government have supplied adequate raw material to Orissa during 1974-75 for the chemical industries; and

(b) if so, the particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). While the availability of inputs and raw materials at present is not adequate to meet the requirements of industries, every effort is being made to improve the same. Where indigenous production of raw materials required by industry is not adequate, imports are allowed to make good the deficiency, as far as possible, subject to the contraints of foreign exchange availability.

Supply of Raw Material for Industries in Gujarat

8754. SHRI D D. DESAI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Central Government have supplied adequate imported raw materials to the synthetic textiles, plastics and pharmaceutical industries located in Gujarat during 1974-75; and

(b) if so, the particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). While the availability of inputs and raw materials at present

is not adequate to meet the requirement of industries, every effort is being made to improve the same. Where indigenous production of raw materials required by industry is not adequate, imports are allowed to make good the deficiency, as far as possible, subject to the constraint of foreign exchange availability. As regards the pharmaceutical industry, the Central Government arranges import of canalised bulk drugs and drug intermediates through the State Trading Corporation and the same are distributed to Pharmaceutical industry by the State Trading Corporation and M/s. Indian Drugs and Pharmaceuticals Ltd., according to the entilement of each manufacturing unit.

Manufacture of Glybenclamide

8755. SHRI NANUBHAI N. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Glybenclamide is manufactured indigenously by a small sector unit and the matter has been examined by the Hathi Committee, if so, what are the recommendations of the Committee in this matter;

(b) whether the new Import Trade Control Policy (vide Vol I Appendix 74, Item 104/4 IV, Sr. No. 23) restricts the import of this item upto 10 per cent and if this restriction is not removed forthwith and import totally banned it would mean protections of multinational firms in our country;

(c) whether the other product of this small scale unit viz. Theophylline Ethanoate of Piperazine is also faced with the similar problem as 10 per cent import has been allowed for it also; and

(d) whether Government propose to ban the import of this item also to protect the interest of the small scale unit urgently; if not, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) M/s. Cadila Chemicals Pvt. Ltd., are reported to have commenced the production of Glybenclamide. The Report of the Committee on Drugs and Pharmaceuticals received on 6th April, 1975, will be laid on the Table of the House during the current Session.

(b) to (d). Glybenclamide and theophylline Ethanoate of piperazine are included in appendix 74, Part IV, ie., items where percentage restrictions in relation to the entilement/value limit in respect of items licensable on restricted basis to actual users in the small scale sector during April, 1975—March, 1976 as per I.T.C. policy would apply. The limit mentioned as per said policy is 10 per cent. M/s. Cadila Chemicals Pvt Ltd., have represented stating that allowing import of these items on restricted basis would not serve the purpose. The representation of the party is receiving attention of the Government.

Merger of certain Foreign Drug Companies

8756. SHRI MANUBHAI N. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the conditions on which M/s. E. Merck and M/s. Sarabhai were allowed separation and M/s. BDH and M/s. CIBA allowed merger with M/s. Glaxo and M/s. Gaigy respectively;

(b) the particulars of licences of these firms, licensed capacity approved during the last three years and the actual production;

(c) what was M/s. E. Merck's annual repatriation at the time of its separation from M/s. Sarabhai and its repatriations during the last three years, separately;

(d) whether Government propose to stop further merger or separation of foreign firms forthwith, if not, reasons therefor; and

(e) whether Government propose to allow BDH to merge with E. Merk with all its licences; if so, how Government propose to protect the interest of Indian units who are at developing stage with similar items of production?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS SHRI C. P. MAJHI): (a) In the year 1957 and 1958 Government approved the proposals of M/s. Sarabhai Merck Limited (nor Sarabhai M. Chemicals) for collaboration with M/s. Merck Ag, West Germany involving equity participation of 26 per cent for the manufacture of laboratory chemicals and Vitamin C. The collaboration agreement with M/s. Merck AG, West Germany was terminated on the 15th July, 1969 and since then M/s Sarabhai M. Chemicals have been entirely Indian owned.

Following the merger of Ciba and Geigy in Switzerland, the Indian company, viz., M/s. Ciba of India Limited had changed their name to M/s. Ciba Geigy of India Limited.

On 26th July, 1968, the High Court of Judicature at Bombay approved the scheme of amalgamation between BDH and Glaxo Laboratories and ordered that the entire estate right, title interest, property rights, permits, licences, obligations, liabilities and duties of BDH (India) Pvt. Limited be with effect from 1st July, 1968 transferred to and vest without further act or deed in Glaxo Laboratories (India) Pvt. Limited.

(b) Details regarding the particulars of the industrial licences granted during the last three years and production during the said period are being collected and will be laid on the Table of the House.

(c) Sarabhai Merck Ltd. (now Sarabhai M. Chemicals) were allowed equity participation of M/s. Merck AG, West Germany. Details of remittances, if any, made by Sarabhai Merck Ltd., during the year 1967, 1968 and 1969 are being collected and will be laid on the Table of the House. Remittances made by M/s. E Merck (India) Pvt. Limited during the last three years are as follows:—

Year	Remittances (Rs. lakhs)
1971	0.97
1972	1.73
1973	2.19

(d) and (e). The question of merger/separation are considered in accordance with the relevant provisions/laws in the country. BDH after their merger with Glaxo Laboratories (India) Pvt. Limited in 1968 do not exist as a separate entity in India.

Merger of M/s. B.D.H. with M/s. Glaxo

8757. SHRI MANUBHAI N. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how M/s. B.D.H. was allowed to be merged with M/s. Glaxo, whether it means that merger outside the country is also a merger in India, what are the broad features and conditions of merger in our country;

(b) whether all the items manufactured by B.D.H. are produced by Indian firms also and if so, on what grounds this merger was allowed by his Ministry and in case his Ministry did not agree to this merger, which other authority was instrumental to bring it about;

(c) what was the foreign equity of M/s. B.D.H. and that of M/s. Glaxo, separately at the time of merger and what is the effect after merger as regards the increase or decrease in equity and its extent; the profits of

these firms separately at the time of merger and their present position; and

(d) whether Government propose to prevent such merger in the country; what are the proposals to Indianise such firms and not to allow them to merge?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). In the year 1968 it was intimated by British Drug House (India) Private Limited, Bombay that the Glaxo group in U.K had recently acquired controlling interest in the BDH group of U.K. and that it was proposed to amalgamate BDH (India) into Glaxo Laboratories (India) in the immediate future. On 26th July, 1968, the High Court of Judicature at Bombay approved the scheme of amalgamation between BDH and Glaxo Laboratories and ordered that the entire estate right, title interest, property rights, permits, licences, obligations, liabilities and duties of British Drugs Houses (India) Pvt Limited be with effect from 1st July, 1968 transferred to and vest without further act or deed in Glaxo Laboratories.

(c) Before the merger in India, British Drug Houses (India) Pvt. Limited, Bombay and M/s. Glaxo Laboratories (India) Pvt. Limited, Bombay were operating as 100 per cent subsidiaries of British Drug House Group Limited, London and Glaxo Group respectively. The present foreign equity after merger in Glaxo Laboratories (India) Pvt. Limited is 75 per cent. The information regarding profits of the two companies at the time of merger is being collected and will be laid on the Table of the House. The profits earned by Glaxo Laboratories (India) Pvt. Limited during the last three years are as follows:—

Year	Net profit
1971/1971-72	Rs. 183 lakhs
1972/1972-73	Rs. 140 lakhs
1973/2973-74	Rs. 174 lakhs

(d) There is no such proposal. Govt. have taken the following measures for the dilution of foreign equity in foreign companies:—

(i) When foreign majority companies come up with proposals for expansion they are asked to dilute the foreign equity in accordance with the following dilution formula:—

40% of the estimated cost of expansion		In the case of companies with foreign holding	Exceeding 75%
33⅓%	,,	,,	Exceeding 60% but not exceeding 75%
25%	,,	,,	Exceeding 51% but not exceeding 60%

(ii) All non-residents, branches of foreign companies operating in India and companies having more than 40 per cent non-resident shareholding are required to obtain the approval of RBI for opening of new branches, carrying on of existing activity and acquisition of whole or any part of the undertaking in India.

Accidents at unmanned Railway Crossings in Gujarat during 1974-75

8758. SHRI D. D. DESAI: Will the Minister of RAILWAYS be pleased to state:

(a) the number of persons killed and injured in accidents at unmanned railway crossings in Gujarat during 1974-75;

(b) whether any action has been initiated for manning railway crossings in Gujarat; and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) Information about train accidents is not compiled State wise but Railway-wise. On Western Railway which serves the territory of Gujarat State. 12 persons were killed and 41 injured in the accidents which took place at unmanned level crossings during the period 1st April 1974 to 31st March 1975

(b) Yes.

(c) Eight unmanned level crossings in Gujarat State have been programmed for manning during 1975-76

Petrol Pumps in Gujarat

8759. SHRI D. D. DEASAI. Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) whether existing petrol pumps are sufficient to meet Gujarat's requirements;

(b) whether any allotment of petrol pumps has been made to Gujarat in 1974-75; and

(c) if so, the particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI)· (a) The existing network of retail outlets of all oil companies put together is adequate to meet the present requirements in Gujarat. To cater to the growth in demand, Oil Companies have also been setting up new outlets in Gujarat based on their commercial considerations.

(b) and (c). No allotment of petrol pumps is made by the Government. Retails outlets set up by the oil companies in Gujarat during 1974-75 are however, as below:—

*(1) I.O.C. (1974-75—*Viramgam, *Rajkot, Theba, *Bhavnagar, Sardar Patel Colony Ahmedabad, Koyali, Rakhial Road, Ahmedabad and Jamnagar

*Caltex Conversions.

Out of the above, Retail Outlets at Viramgam, Rajkot, Theba and Jamnagar were commissioned in 1974 75 and the outlet at Rakhial Road Ahmedabad has been commissioned in April, 1975 The retail outlet taken over from Caltex at Bhavnagar is likely to be commissioned shortly. For the remaimng outlets at Sardar Patel Colony Ahmedabad and Koyali, appointment letters have only been issued

(2) H P.C (1974-75)—Two petrol pumps at Chhani and Rajkot have been approved.

(3) I B P (1974)—Surat, Saroll, Pipodra, Navgaon, Saiz, Kodinar and Mangrol, Out of these, outlets at Surat and Saiz are for both petrol and HSD and the remaining are only for Diesel Oil

Takeover of Gluconate Limited by I.D.P.L

8760 SHRIMATI PARVATHI KRISHNAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the IDPL has decided to takeover Gluconate Limited, a Calcutta based firm manufacturing life saving drugs;

(b) if so, the facts thereof; and

(a) whether this takeover would be in line with the recommendations of the Hathi Committee?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The production by M/s. Gluconate Ltd. came to a gradual stop from October 1974. The problem arising due to stoppage of production and the question of rehabilitation of the company is under consideration in consultation with the Government of West Bengal.

(c) The Committee's report was submitted to Government on 6th April 1975 and its receiving attention of Government.

Agreement for Import of Petroleum Products from Russia

8761. SHRI ARVIND M PATEL:
SHRI VAKARIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether any agreement has been made in regard to the import of petroleum products from USSR during the year 1975;

(b) the quantity and names of the products to be imported; and

(c) the total value of petroleum products imported from USSR during 1974?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Yes, Sir.

(b) The contract provides for import of 600,000 Tonnes of SKO (Kerosene) and 600,000 Tonnes of HSD (High Speed Diesel) during 1975.

(c) It will not be in the public interest to disclose this information.

Railway Wagon shortage in Orissa

8762. SHRI P. GANGADEB: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is wagon shortage on Railways in Orissa;

(b) whether any steps have been taken to meet this wagon shortage; and

(c) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Wagon supply, which is adequate, is not arranged on a State wise basis. There is no shortage of wagons in Orissa.

(b) and (c). Do not arise.

Accidents at unmanned Railway crossings in Orissa during 1974-75

8763. SHRI P. GANGADEB: Will the Minister of RAILWAYS be pleased to state:

(a) the number of persons killed and injured due to accidents at unmanned railway crossings in Orissa during 1974-75;

(b) whether any steps have been taken for manning railway crossings in Orissa; and

(c) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Information about train accidents is not compiled State wise but Railway-wise. On South Eastern Railway which serves the territory of Orissa State, one person was killed and 9 injurred in the accidents which took place at unmanned level crossings during the period 1st April 1974 to 31st March 1975.

(b) Yes.

(c) The necessity for manning has been examined and 26 unmanned level crossing in Orissa have been found

justified for manning. Of these manning of 8 unmanned level crossings has been programmed during 1975-76. The remaining 21 cases of manning are also being processed in consultation with the State Government, for inclusion in future Works Programmes.

Petrol Pumps in Orissa

8764. SHRI P. GANGADEB: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether existing petrol pumps are adequate to meet the requirements of Orissa;

(b) whether any allotment of petrol pumps has been made to Orissa in 1974-75; and

(c) if so, particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P. MAJHI): (a) The existing network of retail outlets of all oil companies put together is adequate to meet the present requirements in Orissa. To cater to the growth in demand, Oil Companies have also been setting up new outlets in Orrissa based on their commercial considerations.

(b) and (c). No allotment of petrol pumps is made by the Government Retail outlets set up by the oil companies in Orissa during 1974-75 are however, as below:

(1) I.O.C. (1974-75) *Chowduar, Veljas, *Cuttack, Munigoda and Bodhraj.

*Burmah Shell conversions and have already been commissioned. In case of other three retail outlets, appointment letters have only been issued and they are likely to be commissioned in 1975-76.

(2) *Burmah-Shell* (1974) Koira,

Manufacture of Pesticides by M/s. Indofil

8765. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether M/s. Indofil were given majority participation on considerations of basic manufacture of certain pesticides in the country during Fourth Plan, if so, the particulars about the items licenced and produced and their value;

(b) whether on the consideration of such vital pesticides the majority participation given to the firm was never fulfilled; and

(c) the particulars of the product-loan granted to this firm; whether it was repatriated, if not, the authority which exempted the repatriation of the product loan and the reasons for the same?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b) M/s. Amritlal & Co. Private Ltd Bombay, applied for an industrial licence in July, 1960 for the establishment of a new undertaking for the manufacture of the under mentioned items in collaboration with M/s. Rohm and Hass, U.S A.:—

Name of the product	Annual capacity
(a) Methacrylic Sheets, Moulding Powders, rods and tubes . . .	1000 tons
(b) Acrylic Emulsions Powder .	1500 tons
(c) Phonite Resins . . .	500 tons
(d) Triton Nonionic Syndets and Emulsifying Agent .	1000 tons
(e) Dithane Fungicides	2500 tons
(f) Acrylate Monomers .	2000 tons
(g) Methacrylate Monomers .	4000 tons
(h) Plasticisers . . .	800 tons

after due consideration an industrial licence was issued to the party in May 1961 for the manufacture of the following items:

Dithane Fungicides .	2,500 tonnes/annum
Plasticisers	800 tonnes/annum

The industrial licence was *inter alia* subject to the condition that the terms of capital issue and foreign collaboration being settled to the satisfaction of the Government. The terms of foreign as approved by Government in August 1961 provided that not more than 87½ of the equity capital of the Company proposed to be incorporated shall be held by M/s Rohm and Hass U.S.A

The capital cost of the project was estimated to be Rs. 40 lakhs and consent for issue of capital was issued by the Controller of Capital Issues in August 1962 on the following basis:—

(i) 23,000 shares of Rs. 100 each, for issue to the foreign collaborator— M/s. Rohm & Hass Co. U.S.A., annd

(ii) 17,000 shares of 100 each, for issue to M/s. Amritlal and Co. Private Ltd.

The new undertaking viz. M/s. Indofil Ltd. was subsequently incorporated for the implementation of the industrial licence implemented. The production of Dithane and Plasticisers during the last three years are given below:—

Year	Quantity (tons) (Dithane)	Ex-factory value (Rs. lakhs)	Production Plasticisers	
1	2	3	4	5
	Qty.	Value	Qty.	Value
1972 .	1000	61	142·6	N.A.
1973 . .	1550	107	150·7	N.A.
1974 .	1529	69	279·3	N.A.

Besides the industrial licence for Dithane, another industrial licence for the manufacture of sophisticated weedicides viz. Stam and Tok for a capacity of 1500 tonnes was issued to M/s Indofil on 16th March, 1974 and the licence is under implementation.

(c) When the industrial licence for Dithane was issued M/s Amritlal & Co Private Ltd. were also advised that in order to develop a market for Fungicides and commence production, they would be allowed to import the finished product and a portion of the raw-material (Ethylene Diamene) under a product loan arrangement Value of these imports were to be paid in foreign currency after the Company exports finished products equivalent to the imports. The position regarding repatriation of the product loan is being ascertained, and the information will be laid on the Table of the House.

Foreign Technicians employed by M/s. Indofil

8766. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how many foreign technicians are employed by M/s. Indofil; their names, pay scales with perquisites;

(b) whether import of second class capital goods and appointment of foreign technicians was approved before the issue of letter of intent to this firm, if so, under whose authority and under which provisions of I (DR) Act; and

(c) whether Government propose to hold an inquiry into the affairs vis-a-vis irregularities of this firm which is at present controlled by M|s. Rohm & Hauss, the American multinational in our country?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Mr. A. L. Walsh Jr., the Managing Director of M/s. Indofil is the only foreign technician employed by the company. His appointment as Managing Director has been approved by the Government on a salary of Rs. 7500 p.m. besides bonus as per rules. Provident Fund, Superannuation Fund, Gratuity, Medical Benefits, Passage benefits, Leave Travel Concessions, Furnished Residential Accommodation, Free use of car, telephone at residence and fees towards membership of 2 clubs.

As a technician he is entitled to exemption from payment of income-tax under the provisions of Income Tax Act with the prior approval of the Government.

(b) and (c). The party were granted an industrial licence for manufacture of Dithane Fungicides in May 1961, Dithane Fungicides consist of a group of chemicals like Zineb (Z-72) and Mineb (M-45). For the purposes of aerial spraying the party wanted to produce M-45 and towards this end import of second hand Rotary vacuum Blender/Drier was allowed to be imported by them in 1972 on 'no sale basis' after verifying its essentiality, servicability etc. Foreign exchange was incurred only on freight and insurance.

Licences granted to M/s. Merck

8767. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the bulk drugs for which M/s. E. Merck have been granted industrial licence;

(b) what are the main conditions of the industrial licences and whether this Company were to take up the manufacture of bulk drugs from basic stages; and

(c) if so, why this Company has not been asked to go in for basic formulations and under what authority they are being allowed to manufacture bulk drugs from intermediate stage?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Vitamin E and Vitamin P.

(b) M/s. E. Merck (India) Private Limited, Bombay were *inter-alia* granted an industrial licence on 25th September 1971 for the manufacture of two bulk drugs *viz.* Vitamin E and Vitamin P (Rutin) subject *inter alia* to the following main conditions:—

(i) the undertaking will explore the possibility of taking up the production of Vitamin E and Rutin from basic stages and submit a revised phased programme within a period of six months.

(ii) The import of plant and machinery shall be in accordance with the Government's policy in force from time to time and subject to Government's approval. There shall be no payment of royalty, technical fees etc. for this activity.

(iii) Import of raw materials will be permitted in accordance with import control policy in force from time to time.

(iv) The foreign equity of the company should be brought down to 60 per cent.

(c) Information is being collected and will be laid on the Table of the House.

Manufacture of Formulations by M/s. E. Merck without valid Licences

8768. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether M/s. E. Merck are manufacturing number of formulations without any valid industrial licence and 'Dolo-Neurobion' is one of such items;

(b) if so, under what authority imported/canalised raw materials are being allocated to this firm for the manufacture of these items for which they have not obtained any permission; and

(c) whether illegal manufacture of 'dolo-neurobion' is already in the notice of Government; and if so, what action Government have so far taken against the firm for contravening the provisions of the I(DR) Act?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) M/s. E Merck are producing Neurobion under an industrial licence issued to them on 27th September, 1971. They are also producing Dolo Neurobion which is an item not specifically mentioned in the industrial licence referred to above

(b) Information is being collected and will be laid on the Table of the House.

(c) The party have already been issued a show cause notice for producing 'dolo-neurobion' without Government approval. Such action as may be necessary will be taken against the company on receipt of their reply, in case it is found that they have contravened any provisions of I(D&R) Act, 1951.

भुसावल डिवीजन में फ्लैग स्टेशन की स्थापना

8769. **श्री गंगा चरण दीक्षित :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भुसावल डिवीजन (सेन्ट्रल रेलवे) में फ्लैग स्टेशन खोले जा रहे हैं; और यदि हां, तो किन-किन स्थानों पर; और

(ख) क्या वर्तमान फ्लैग स्टेशनों को नियमित स्टेशनों में बदलने की कोई योजना है ?

रेल मंत्रालय में उपमंत्री (श्री कृष्ण सिंह) : (क) और (ख). इस समय भुसावल मंडल में नये फ्लैग स्टेशन स्थापित करने या वर्तमान फ्लैग स्टेशनों को नियमित स्टेशनों में बदलने का कोई प्रस्ताव नहीं है ।

मध्य प्रदेश में मिट्टी का तेल उपलब्ध न होना

8770. **श्री गंगा चरण दीक्षित :** क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें मध्य प्रदेश में मिट्टी का तेल उपलब्ध न होने के कारण और उसके मूल्य बहुत अधिक होने के बारे में जानकारी है; और

(ख) मिट्टी के तेल की कमी को दूर करने और इसकी चोर बाजारी रोकने के लिए सरकार क्या कार्यवाही कर रही है ?

पेट्रोलियम और रसायन मंत्रालय में उपमंत्री (श्री सी० पी० माझी) : (क) निकट भूतपूर्व में सरकार को कोई ऐसी रिपोर्ट प्राप्त नहीं हुई है ।

(ख) राज्यों को मिट्टी के तेल की कोटा में नवम्बर, 1974 में वृद्धि की गई थी। तब से राज्य से कमी की कोई शिकायतें नहीं प्राप्त हुई हैं । मिट्टी के तेल का विक्रय मूल्य कानूनी रूप से आवश्यक वस्तु अधिनियम 1955 के अन्तर्गत अधिकतम मूल्य निर्धारण तथा वितरण आदेश 1970 के अधीन नियन्त्रित किया जाता है । राज्य सरकारों को किसी भी जगह पर फुटकर बिक्री मूल्य निर्धारण के लिए तथा उन्हें नियंत्रण आदेश और अधिनियम के अनुसार लागू करने के लिए पूर्ण अधिकार दिये गये हैं ।

मध्य प्रदेश में बिड़ला उद्योग समूह की फर्में

8771. **श्री गंगा चरण दीक्षित :** क्या **विधि, न्याय और कम्पनी कार्य मंत्री** यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश के विभिन्न भागों में बिड़ला उद्योग समूह की कितनी फर्में हैं; और

(ख) क्या बिड़ला उद्योग समूह की प्रत्येक फर्म में सरकारी प्रतिनिधि है ?

विधि, न्याय और कम्पनी कार्य मंत्रालय में उप-मंत्री (श्री वेद व्रत वरुआ) : (क) मध्य प्रदेश राज्य मे पंजीकृत कार्यालय वाली निम्नलिखित कम्पनियों का औद्योगिक लाइसेंस नीति जांच समिति की रिपोर्ट मे सूचीबद्ध किया गया था । इनमे से क्रम स० 2, 6 व 7 की कम्पनियां अभी तक एकाधिकार एवं निबंधनकारी व्यापार प्रथा अधिनियम, की धारा 26 के अन्तर्गत पजीकृत हुई हैं :—

1. सेण्ट्रल इण्डिया जनरल एजेण्ट्स लि०
2. सेण्ट्रल इण्डिया मशीनरी मैन्यूफैक्चरिंग कं० लि०
3. गोदावरी कारपोरेशन लि०
4. ग्वालियर कमर्शियल कम्पनी लि०
5. ग्वालियर फाइनेंस कारपोरेशन लि०
6. ग्वालियर रैयर एण्ड सिल्क मैन्युफैक्चरिंग (वीविंग) कम्पनी लि०
7. जियाजी राव काटन मिल्स लि०
8. पिलानी इन्वैस्टमेंट कारपोरेशन लि०
9. सतलज काटन मिल्स सप्लाई एजेन्सी लि०
10. सेण्ट्रल इण्डिया इण्डस्ट्रीज लि०

(ख) नही, श्रीमान जी ।

Development of Kadakavur Railway Station

8772 SHRI VAYALAR RAVI: Will the Minister of RAILWAYS be pleased to state:

(a) what progress has been made in the construction work undertaken for the development of Kadakavur Railway Station in Kerala; and

(b) the nature of works yet to be completed and the time by which they are expected to be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): The following developmental works are proposed to be taken up at Kadakavur station under the scheme for convesion of Trivandrum Quilon Ernakulam station from Metre Gauge to Broad Gauge·

(i) Extension of existing low level platform to accommodate longer trains.

(ii) Provision of one new island single face rail level platform.

(iii) Provision of goods shed and goods platform

(iv) Cover over the platform to Broad Gauge standard.

(v) Separate lavatory in upper class waiting room for laides.

(vi) Provision of water cooler.

Out of the six works mentioned above the work regarding extension of platform to accommodate 16 bogies trains has since been completed. The

work for extending this platform for holding 18 bogies trains is in progress, The remaining works from items (ii) to (vi) above will be taken in hand, alongwith the conversion scheme and are likely to be completed by March, 1976.

Burning of Oil Tanker in Paldi

8773. SHRI C. K. CHANDRAPPAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether an oil tanker carrying 6,00,000 litres of petrol was burnt down recently at an IOC pump in Paldi; and

(b) if so, the reasons and facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) A Tank Truck of an IOC contractor carrying 8000 litres of Motor Spirit was involved in a fire incident at Anand Nagar near Paldi, Ahmedabad.

(b) According to the preliminary report received by IOC, when the product was being discharged at its 'A' site service station of M/s. Dipti Motors, a flash of fire was observed at the end of the hose whereupon the driver of the Truck jumped into the cabin in panic and pulled the truck out of the station without closing the discharge value or disconnecting the hose. This resulted in the spillage of product along the route of the truck whereupon the flash of fire spread along and the whole truck was engulfed in flames. The entire product and the vehicle were completely destroyed. The dispensing pump also caught fire. Uultimately the fire was put out by the Ahmedabad Fire Brigade with their fire engines

Trade Marks of Formulations of Foreign Drug Firms

8774. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether all the items of formulations manufactured by foreign firms based on the bulk drugs vide notification dated 27-5-1969 bear a distinct trade mark or patent;

(b) if so, will it not constitute new article under I(DR) Act; and

(c) what action Government have taken against these companies for contravening provisions of I(DR) Act?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). The effect of notification No. 3(3)/65-Ch. III dated the 27th May, 1969 is to provide exemption from the operation of Sections 10, 11, 11-A and 13 of the I(D&R) Act, 1951 and this exemption will hold good so long as the conditions contained in the said notification are fulfilled; even though the article/formulations manufactured under the said notification may be a new article as defined under Section 3(dd) of the I (D&R) Act, 1952.

Formulations manufactured by M/s. Ciba-Geigy Limited

8775. SHRI K. S CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the formulations manufactured by M/s Ciba-Geigy Limited based on imported bulk drugs;

(b) what are the licensed capacities|production|utilization of imported raw materials in terms of quantity and value during the last 3 years;

(c) whether the proposals of Indian firms for similar items were rejected in the past; and

(d) whether Government propose to consider the proposals sympathetically for these items from Indian firms?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Names of formulations manufactured by M/s. Ciba-Geigy Limited

based on imported bulk drugs in dosage forms like tablets/Amps./ Liquids/ointments are follows:—

1. Antistine.
2. Cibalgin
3. Cibalgin Compositiom
4. Coramine Adenosine
5. Doriden
6. Foristal
7. Foristal Lon tabs.
8. Millicorten
9. Priscol
10. Priscophen
11. Spasmo Cibalgin
12. Otrivin
13. Privine
14. Bradex-Vioform
15. Nupercainal
16. Atrstine Privine
17. Privine Emulsion

(b) to (d). Information is being collected and will be laid on the Table of the House.

Production Capacities Granted to M|s S.K.F.

8776. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what were the items and capacities granted to M|s SKF in their C O.B. licences and what were the main conditions of the licences;

(b) whether M|s SKF did not apply for the manufacture of 'Eskaline' in the COB application and commenced the production of this item subsequently without valid approval;

(c) date of commencement of production of 'Eskaline' and the utilisation of imported empicillin in terms of quantity and value and under what authority the allocation of imported canalised material was made to them; and

(d) whether this company has been contravening provisions of Sec 13 of I(DR) Act and if so, what action has so far been taken against it|or is proposed to be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) S.K F., were granted a C.O.B. licence on 22nd November 1973 for the following categories of items and capacities:

Category	Capacity (Annual)	
Tablets	918 lakhs	Statement (List) of items attached
Liquids	34,000 litres	
Ointments	155,300 Kgs.	
Capsules	145 lakhs	
Powders	43,310 Kgs.	
Inhalers	21,600 Kgs.	
Injectables	3 lakhs Nos	

The licence, *inter alia*, stipulated the following main conditions: 1—No section of the industrial undertaking should have, except with the prior approval of the Government of India capacity substantially in excess of those specified above.

2. Twenty per cent of the annual production should to exported and a bond executed for this purpose.

3. Proposals for the manufacture of basis drugs should be submitted within six months.

4. In respect of expansion proposal for the manufacture of basic drugs, the company should dilute its foreign holding in accordance with the Ministry of Finance (DEA) Press Note dated 19th February 1972. In any case, the foreign holding should be diluted to a level of 60 per cent within a period of 2 years from the date of this licence.

5. No import of plant and machinery shall be permitted for this activity.

6. Import of raw materials shall be permitted in accordance with the policy of Government is force from time to time and subject to availability of foreign exchange.

(b) The party did not apply for a COB licence for the manufacture of Eskaycillin. The party have asserted that at the time of introduction of Eskaycillin they were a small scale unit registered with the Mysore Government vide registration No. O1-N/2/736/68 dated 19th July 1969 and hence they did not require any licence under the Industries (Development and Regulation) Act. They are reported to have commenced production prior to the grant of C.O.B. licence.

(c) The information is being collected and will be laid on the Table of the House.

(d) The State Government has been asked to investigate into the matter. Their report is awaited. The legal position is being examined.

Statement

Tablets

1. Deprisal
2. Dexadrine
3. Drinamyl
4. Dytide
5. Eskazine (1 mg, and 5 mg.)
6. Furadantin (50 mg. & 100 mg.)
7. Furexene
8. Stelabid (I&2)
9. Bifuran
10. Mabryl
11. Ambicide

Liquids

1. Furoxone Suspension
2. Neuropho sphates.
3. Furandant in Suspension.

Injections

Eskasine

Ointments.

1. Eskamal
2. Furacin
3. Pragmatar.
4. Furacin Cream
5. Index Plain
6. Index Methyl
7. Nefuran

Capsules

1. Fesofor
2. Certao
3. Fafal
4. Eskormad
5. Spaneph
6. Calveen
7. Prydoanol
8. Fesrovit.

Powers.

1. Bifuran Supplement
2. Naftin (50 & 200)
3. Furasol
4. Furacincal power.

Inhalers.

Benzendrine.

Railway Board Orders for Wagon out of 1974-75 Rolling Stock Procurement Programme

8777. SHRI TUNA ORAON: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Board had placed orders for wagons with wagon industries out of the 1974-75 rolling stock procurement programme;

(b) if so, the name of the industrial units which bagged wagon orders, unit-wise;

(c) the wagon orders pending and supplied by these units, unit-wise during the last three years;

(d) the production of the wagons during the last three years in these units, unit-wise;

(e) the reasons for not supplying the orders in due time by the industries, unit-wise; and

(f) the action taken up-to-date by the Railway Board to secure the wagons in due time?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b) Yes. Out of the 1974-75 Rolling Stock Programme, an order for 625 wagons in terms of four wheelers has been placed on M/s. Central India Machinery Manufacturing Company Limited Bharatpur (Rajasthan) at 1973-74 Rolling Stock Programme contract prices. Further against 1974-75 Rolling Stock Programme, offers for placement of orders for 1750 wagons in terms of four wheelers have also been issued during April, 75 on the following three firms.

1 M/s Braithwaite, Calcutta.

2 M/s Texmaco, Calcutta.

3 M/s CIMMCO, Bharatpur (Rajasthan)

(c) and (d) A statement is attached.

(e) The reasons, generally indicated by the units for delay in supplies with respect to the contractual delivery dates, are as under:—

(i) Inadequate availability of steel and free supply items

(ii) Labour trouble/lockouts.

(iii) Power cuts.

(f) When the delivery date extends beyond the original contractual delivery dates and if such delays are not due to reasons beyond the control of the firm, while granting extensions to the delivery dates, the levy of liquidated damages is considered according to the terms of the contracts, on the merits of each case.

(c) and (d). The details of the wagon orders pending and wagons delivered by M/s. Braithwaite, Calcutta, M/s. Central India Machinery Manufacturing Company, Ltd., Bharatpur (Rajasthan) and M/s. Texmaco Ltd., Calcutta, during the last three years are given below:—

Statement

(Figures in terms of four wheelers)

S. No.	Name of the firm	1972-73		1973-74		1974-75	
		Outstanding orders at the beginning of the year (1st April)	Wagons supplied during the year	Outstanding orders at the beginning of the year (1st April)	Wagons supplied during the year	Outstanding orders at the beginning of the year (1st April)	Wagons supplied during the year
1.	M/s Braithwatie . .	3168·5	1950·5	4025·5	1761·5	5252	1365
2.	M's Cimmco . .	3180,5	1779·5*	4632·2	2867·9	5203·5	2064
3.	M s Texmmaco . .	5155	3280	5243 4	3209·2	7276	3428

*Orders for 455 four-wheelers, were withdrawn.

Note : During 1972-73 and 1973-74, CRT type wagons were treated as equivalent to 1·2 four wheel. From 1-4--1974 onwards thes have been treated as equivalent to one four wheelers, Hence outstanding orders as on 1-4-1974 are less to that extent.

Drugs and Pharmaceuticals Raw Materials canalised during Fourth Plan

8778. SHRI SOMCHAND SOLANKI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how many drugs and pharmaceuticals raw materials were canalised during the Fourth Plan, their import prices and international prices;

(b) whether the State Trading Corporation has been flouting the Price Control Order and realising prevalent prices for bulk drugs thus earning huge profits on inventories, bills of lading and sales vouchers; if so, the details thereof—raw materials imported, the prices charged and international prices, during Fourth Plan period; and

(c) whether State Trading Corporation is helping the foreign firms in allocating raw material; if so, the grounds for doing so; and what action Government propose to restrict this uncalled for activity of State Trading Corporation?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

Formulation Capacities of M/s. Roche and Borroughs Wellcome for certain Drugs

8779. SHRI SOMCHAND SOLANKI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 4828, dated the

25th March, 1975 regarding conditions imposed in Industrial licences granted to certain Foreign Drug Firms and state:

(a) whether the formulation capacities given to M|s Roche and Borroughs Wellcome for Trimethoprim and Sulphamethoxamole are much more than the licensed capacities conditions of formulations;

(b) have M|s Roche not produced Sulphamethoxemole basically, as required under the condition of the licence and still marketed the formulation from smuggled raw materials; if so, the particulars of the same;

(c) why the condition of ban on the use of international brand name was not imposed on M|s Roche, as imposed on Borroughs Wellcome and why Borroughs Wellcome were allowed the use of international brand name, although stipulated conditions on the licence were to the contrary; and

(d) what penal action Government propose to take against these multinational firms for flouting the conditions and provisions of I(DR) Act?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) A statement indicating the capacities of bulk drugs, Trimethoprim and Sulphamethoxazole, granted to M/s. Burroughs Wellcome and company (India) Pvt. Ltd. and M/s. Roche Products Limited respectively and also the formulations of both the bulk drugs and the conditions of the industrial licences granted to both the companies have already been furnished in reply to part (a) of Lok Sabha Unstarred Question No. 4828 answered on the 25th March, 1975. Formulation capacity granted in each case is to be confined to 50 per cent of the production of the respective bulk drugs. In case of Liquid preparations (40 mg. Trimethoprim and 200 mg. Sulphamethoxazole per 5 ml.) a capacity of 65 kilolitres have been granted to each company but in the case of Tablets (Adults dosage) (80 mgs. Trimethoprim and 400 mgs. Sulphamethoxazole) (Paediatric dosage) (20 mg. Trimethoprim and 100 mg. Sulphamethoxazole) a capacity of 260 lakh tablets have been granted to each company and they are free to adjust their production of each dosage form in accordance with the market demand.

(b) As per the condition of the industrial licence granted to M/s. Roche Products on 23rd April, 1974 the party can take up the manufacture of the bulk drug Sulphamethoxazole initially for a period of two years based on imported intermediate 3-amino-5 methyl Isoxazole. From the third year the party are to manufacture the bulk drug from basic stage starting from T-Butyl Alcohol, Hydroxylamine Acid Sulphate, etc. The manufacture of formulations was to be based on their own production of Sulphamethoxazole and import of Trimethoprim was to be allowed for a period of one year. The party are reported to have commenced the production of Bacyrim tablets in May, 1974, but the production of Sulphamethoxazole was started in January, 1975. Information regarding source of procurement of Sulphamethoxazole in the intervening period is being collected and will be laid on the Table of the House

(c) M/s. Burroughs Wellcome (India) Pvt. Ltd., Bombay are manufacturing formulations of Trimethoprim and Sulphamethoxazole under the trade name Septran which is not used anywhere else in the world. The position as to whether it is an international brand name is being ascertained. Under the streamlined procedure for the grant of industrial licences which came into force from the 1st November, 1974 conversion of letter of intent in the case of Roche Products Limited was done by the Ministry of Industry and Civil Supplies (Secretariat of Industrial Approvals). The reasons for not imposing the condition to the effect that

use of foreign brand names will not be permitted for the purpose of internal sales in the industrial licence granted to this company are being ascertained from that Ministry and will be laid on the Table of the House.

(d) Such action as may be necessary against them, in case it is found that they have violated the provisions of I(D&R) Act and flouted other conditions in respect of industrial licence granted for the manufacture of Trimethoprim and Sulphamethoxazole formulations, etc., will be taken.

Pollution of Ganga by Effluent from Barauni Refinery

8780. SHRI N E HORO: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware of the continuing pollution of the Ganga by the effluent from the Barauni Refinery in Bihar; and

(b) if so, what steps are being taken or have been taken by Government to prevent the pollution of the river?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P. MAJHI): (a) and (b). The refinery has taken adequate steps to treat the effluent, and the discharge into the river Ganga meets the prescribed standards.

Expenditure on Renovation of Sindri Fertilizer Plant

8781. SHRI N E. HORO: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the expenditure likely to be incurred by Government on renovation of the Sindri Fertilizer Plant; and

(b) the amount of foreign exchange involved therein?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P. MAJHI): (a) and (b). A Renovation programme costing about Rs 10.45 crores including a foreign exchange component of Rs. 3.21 crores has been planned in two phases. In addition, a Rationalisaction programme (costing Rs. 39 crores) for production of 346,000 tonnes of triple superphosphate, and a Modernisation programme (costing about Rs. 89 crores) for production of 128,000 tonnes of nitrogen are concurrenctly under implementation.

Petrol Pumps in Punjab

8782. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) whether existing petrol pumps are sufficient to meet Punjab requirements;

(b) whether any allotment of petrol pumps has been made to Punjab during 1974-75; and

(c) if so, particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) The existing network of retail outlets of all oil companies put together is adequate to meet the present requirements in Punjab. To cater to the growth in demand, Oil Companies have also been setting up new outlets in Punjab based on their commercial considerations.

(b) and (c). No allotment of petrol pumps is made by the Government. Retail outlets set up by the oil com-

panies in Punjab during 1974-75 are however, as below:

(1) *I. O. C.* (1974-75) . . . . . Raipura, Maur, Gonisna, Mudki.

Apart from these IOC also took over 10 outlets from Caltex during this period.

(2) *H. P. C.* (1974-75) . . . . . Chheharatta (Resitement case)

(3) *I. B. P.* (1974-75) . . . . . Patiala, Faridkot, Sirhind, Ahmedgarh, Dhakoli & Samrala.

(4) *Burma - Shell* (1974) . . . . Malikpur.

Accidents at Unmanned Railway Crossings in Punjab during 1974-75

8783. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of persons killed and injured in accidents at unmanned railway crossings in Punjab during 1974-75 and the first quarter of 1975; and

(b) whether any measures are being taken for manning railway crossings in Punjab?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Information about train accidents is not compiled State-wise but Railway-wise. On whole of the Northern Railway which serves seven states including Punjab, 32 persons were killed and 67 injured in the accidents which took place at unmanned level crossings during the period 1-4-74 to 31-3-75. During the period 1-1-75 to 31-3-75, seven persons were killed and 8 injured in such accidents.

(b) The level crossings, where road and rail traffic is heavy or visibility is restricted are being converted on a programmed basis into manned level crossings after obtaining approval of the State authorities. Six unmanned level crossings in Punjab State were manned during the year 1974-75.

Wagon Shortage in Punjab

8784. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of RAILWAYS be pleased to state·

(a) whether there is any wagon shortage in Punjab State:

(b) if so, whether any action has been taken to meet the wagons demand in Punjab; and

(c) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH)· (a) Wagon supply which is adequate, is not arranged on a State-wise basis. There is no shortage of wagons in Punjab.

(b) and (c). Do not arise.

पटना और गया के बीच यात्री गाड़ियों का देरी से चलना

8785. श्री ईश्वर चौधरी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिहार में पटना और गया के बीच चलने वाली यात्री गाडी को 3 घण्टे की बजाय 6 घण्टे लगते हैं जिसका मुख्य कारण स्थानीय जनता द्वारा रास्ते मे 10—15 स्थानो पर जंजीर का खीचा जाना है ;

(ख) यदि हां, तो क्या सरकार का इस बारे में कोई जांच करके इस प्रथा को रोकने के लिए कोई कार्यवाही करने का है ;

(ग) क्या पटना और गया के बीच स्थानीय लोग वैक्यूम अलग करके गाड़ी रोक कर घर चले जाते हैं और गाड़ी तभी चलती है जब वह काफी समय बाद घर से वापस आते हैं और वैक्यूम को फिर से लगाते हैं ; और

(घ) यदि हां, तो क्या सरकार का इस बारे में जांच करने का और दोषियों को सजा देने का विचार है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) पटना और गया के बीच चलने वाली सवारी गाड़ियों को कलेप्पट वाल्व खोल कर और होस पाइप अलग करके स्थानीय लोगों द्वारा रोक दिया जाता है । इसके कारण ये गाड़ियां 40 से 60 मिनट और कभी-कभी दो घण्टे तक लेट चलती हैं ।

(ख) इसके अलावा, पटना और गया के बीच चलने वाली गाड़ियों में महिलाओं के डिब्बों और डाक यानों को छोड़ कर खतरे की जंजीर को निष्क्रिय करके चल टिकट-परीक्षकों, रेलवे सुरक्षा दल, सरकारी रेलवे पुलिस के साथ ही रेलवे मजिस्ट्रेटों की सहायता से एक निर्धारित कार्यक्रम के आधार पर विशेष अभियान चलाये जाते हैं । ऐसे अपराधियों की पकड़ने या पकड़वाने में सहायता करने वाले लोगों और रेल कर्मचारियों की नकद इनाम की भी घोषणा की गई है । इस बुराई के खिलाफ शिक्षात्मक अभियान भी चलाये जाते हैं ।

(ग) जी नहीं, लेकिन कभी-कभी स्थानीय दुग्ध विक्रेता और छात्र अपने घरों के समीप चढ़ने और उतरने की सुविधा के लिए गाड़ियां रोक देते हैं और कभी-कभी उनके साथी यात्रियों की सहायता के लिए, जो देर से पहुंचते हैं और उनकी गाड़ी के निकल जाने की सम्भावना होती है, गाड़ियों को रोक लेते हैं ।

(घ) रेलवे सुरक्षा दल की टुकड़ियों के साथ रेलवे मेजिस्ट्रेटों को जिनके साथ पुलिस भी रहती है, तैनात करके इस तरह के यात्रियों को अचानक धर-पकड़ने और दंड देने के लिए विशेष प्रयास किये जा रहे हैं ।

Tenders for Award of Cycle Stand Contract at Allahabad

8786. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the parties who submitted tenders on 28th February, 1975 for award of Cycle Stand Contract at Allahabad together with rates quoted by individual tenderer;

(b) the names of Newspapers in which tender notification appeared together with cost of advertisement paid by Government;

(c) whether tender submitted by Shri Basudev Prasad has been recommended by the Tender Committee for acceptance by the Competent Authority without obtaining all relevant documents as mentioned in Instructions to the Tenderers; and

(d) whether similar procedure has been adopted by the Tender Committee while recommending the tender for Cycle stand contract at Kanpur with effect from 15-4-1975?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The following three tenders were received:

Name of the Party	Amount tendered
	Rs. P.
1. M/s. Pathak Trading Agency, Allahabad . . .	31,101·00
2. Sh. Basdeo Prasad, Allahabad	46,105·01
3. Railway Parcels & Goods Porter's Co-operative Labour Contract SocietyLtd., Aligarh	42,50100

(b) A combined Tender Notice for Kanpur Central Goods Shed and Allahabad station appeared in the following newspapers:

	cost of advertisement paid
	Rs. P.
1. Hindustan Times, New Delhi, dated 30-1-75 .	72 15
2. Deshdoot, Allahabad, dt. 31-1-75	39·00
3. Ganesh, Kanpur dated 31-1-75 . . .	50·70
4. Vir Bharat Kanpur dt. 30-1-75 . . .	41 60
5. Siyasat Jadid, Kanpur dt. 30-1-75 . . .	70·20

(c) No.

(d) Does not arise.

Tenders submitted on 28-2-1975 for Award of Cycle Stand Contract at Kanpur

8787. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the parties who submitted tenders on 28th February, 1975 in the Office of the Divisional Superintendent, Northern Railway, Allahabad, for award of Cycle Stand Contract at Kanpur together with rates quoted by individual tenderer;

(b) the names of Newspapers in which tender notifications appeared together with cost of advertisements paid by Government;

(c) whether Government are aware that Local Contractors had formed a ring and were busy in complicating finalization of tenders by sending representations so that existing contractors could get the benefit of extension beyond 15-4-1975 on the reduced amount of licence fees; and

(d) if so, what preventive steps are being taken to save Government from recurring loss?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The following four tenders were received:

Name of the Party	Amount tendered
	Rs. P.
1. M.D. & Co. Kanpur .	1,01,000·00
2. Dinesh & Co.	1,11,000·00
3. Banney & Co. .	1,32,000·00
4. Kudrat Din .	63,000·00

(b) A combined tender notice for Kanpur Central Goods Shed and Allahabad Station appeared in the following Newspapers.—

	Cost of Advertisement paid
	Rs. P.
1. Hindustan Times, New Delhi, dated 30-1-75 .	72·15
2. Deshdoot, Allahabad, dated 31-1-75 .	39·00
3. Ganesh Kanpur dated 31-1-75 .	50·70
4. Vir Bharat, Kanpur, dated 30-1-75 .	41·60
5. Siyasat Jadid, Kanpur, dated 30-1-75 .	70·20

(c) No.

(d) Does not arise.

Post of Managing Director in the Coca Cola Export Corporation

8788. SHRI SHASHI BHUSHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Coca Cola Export Corporation has a post of Managing Director;

(b) if so, the name of the person working on the post of Managing Director, and his emoluments;

(c) whether the Company Law Board has given its concurrence for the creation of such a post; and

(d) if not, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) to (d). Coca Cola Export Corporation is a Foreign Company having a place of business in India. The documents filed by the company with the Registrar of Companies, Delhi do not indicate that there is a Managing Director located in New Delhi. Further, Sections 269, 198 and 309 of the Companies Act 1956 governing the appointment of Managing Director and payment of remuneration to him do not apply in the case of this company.

Setting up of a Petrol Depot at Koraput in Orissa

8789. SHRI GIRIDHAR GOMANGO: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether his Ministry received any proposal from the Government of Orissa to open a petrol depot at Koraput town;

(b) if so, what is the present position of that proposal; and

(c) whether his Ministry propose to open petrol depot at Koraput on the ground that the place is convenient and central to distribute petrol within the district and also that petrol from there can be supplied to other bordering States?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Yes, Sir. A request was received for opening a bulk petroleum depot by IOC at a convenient location in Koraput District.

(b) and (c). IOC made a detailed study of the proposal and has reported that on the basis of current offtakes in the District, it would be uneconomical to set up a bulk Depot in Koraput. IOC has therefore no plans to set up a Depot in Koraput District in the near future. IOC management has however issued suitable directions to its Depots to ensure that all efforts are made to keep the supplies of POL products to Koraput District prompt and avoid disruption as far as possible.

Allotment of Petrol Pumps to Unemployed Scheduled Tribes and Scheduled Castes Graduates

8790. SHRI GIRIDHAR GOMANGO: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of petrol pumps opened by the unemployed Scheduled Tribes and Scheduled Castes graduates in Orissa so far;

(b) whether there is any quota reserved for the Scheduled Tribes and Scheduled Castes graduates sanctioned by his Ministry; and

(c) what steps have been taken by his Ministry to invite applications for issuing licences to these persons?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). Effective from 1-1-74,

25 percent of IOC's agencies/retail outlets ('A' sites) are reserved for persons belonging to Scheduled Castes/Scheduled Tribes candidates. At present no other Company has any such reservation of agencies for Scheduled Tribes/Scheduled Castes candidates. No retail outlet has however, been commissioned by IOC as yet under this scheme in Orissa.

(c) Retail outlets reserved for persons belonging to Scheduled Castes/ Scheduled Tribes are advertised by IOC in the Local Newspapers. No applications are invited by Government.

Uneconomic Branch Lines Surveyed for Conversion to Broad Gauge Lines

8791. SHRI GIRIDHAR GOMANGO: Will the Minister of RAILWAYS be pleased to state:

(a) what are the main recommendations of the Uneconomic Branch Line Committee of 1969 on the Narrow-Gauge Lines;

(b) the names of the Branch lines surveyed for conversion into broad gauge line extensions so far; and

(c) the steps taken by his Ministry on the basis of the recommendations of the UBL Committee?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Recommendations of the Uneconomic Branch Lines Committee of 1969 on the Narrow Gauge Lines are contained in their report, a copy of which is available in the Library of Lok Sabha.

(b) and (c). Based on the recommendations made by the Uneconomic Branch Lines Committee of 1969, Traffic Survey for conversion/extension or both for the following 13 lines were ordered:—

1. Krishnanagar City-Shantipur (conversion to BG).
2. Restoration of Gohana-Panipat line.
3. Extension of Barhan-Etah line upto Kasganj.
4. Kuruduwadi-Pandharpur (con- various on to BG).
5. Raipur-Dhamtari (conversion to BG).
6. Rupsa-Talband (conversion to BG).
7. Purulia-Kotshila (conversion to BG).
8. Chhota Udaipur-Partapnagar (conversion to BG).
9. Chhuchhapura-Tankhala (conversion to BG).
10. Extension of Rangapara North line to Bhumraguri.
11. Extension of Sagar-Talaguppa line to Hanovar.
12. Extension of Chickjajur Chitradurg line upto Rayadrug.
13. Conversion of Northern Section of Satpura Railway from NG to BG.

Out of them only 6 proposals (1-4 and 11-12) have been finalised. Except item 2, all these projects have been shelved as they were unremunerative. Item 2 was also unremunerative, but this being a restoration has been taken up and the work is in progress. Regarding item 4, a fresh survey for conversion of Miraj-Latur section to BG of which Kurduwadi-Pandharpur forms a part, is in progress. Further consideration to this project will be given after the survey reports are examined from all angles. As regards items (5-10 and 13), survey reports are under examination and are expected to be finalised shortly. Item 5, is also being considered along with construction of Dhalli-Rajhara rail link.

The question of taking up surveys for the remaining lines will be considered when the survey reports for

all the remaining projects for which surveys have been carried out (items 5-10 and 13) are examined and decision taken.

Extract of Potash and other Plant Nutrients from Waste from Sugar Mills

8792. SHRI ARJUN SETHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether any research has been made with the cooperation of distilleries and fertiliser corporations' associations for extracting potash and other plant nutrients from sugar mills' waste and other distillery effluenes; and

(b) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). According to the Council of Scientific and Industrial Research, no research has been made with the cooperation of distillery and fertilizer corporations' associations for extracting potash and other plant nutrients from sugar mill waste and other distillery effluents. However, the Central Salt and Marine Chemicals Research Institute has independently developed a process for extraction of potash only from distillery spent wash liquor. The process has been released by the National Research Development Corporation to a party in Maharashtra.

Diversion of allocations made for Calcutta Metropolitan Transport Project to core Sector

8793. SHRI INDRAJIT GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Planning Commission has now decided that due to lack of resources, a part of the earlier proposed allocations for the Calcutta Metropolitan Transport Project should be diverted to the core sector;

(b) if so, the extent to which this will delay the execution and completion of the MTR; and

(c) whether there are any alternative schemes for augmenting Calcutta's present transport capacity to cope with the growing traffic?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Since 1974-75 due to economic stringency, the annual allocations for Metropolitan Transport Projects are being made on consideration of the availability of resources and inter-se priorities of different programmes and Projects.

(b) The extent to which the completion of the Rapid Transit Line in Calcutta will be delayed can be determined as soon as the resources position improves and permits us to look more clearly ahead.

(c) There is no equally effective alternative scheme in lieu of the Mass Rapid Transit System for Calcutta. During 1974-75, however, Central assistance of Rs 6 crores to the Calcutta State Transport Corporation and Rs. 2 crores to the Calcutta Tramways Company was given for strengthening the public Transport System in Calcutta.

Cases pending with MRTP Commission

8794. SHRI VAYALAR RAVI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of cases pending with the Monopolies and Restrictive Trade Practices Commission at present and the particulars of important cases; and

(b) how many of these cases are relating to foreign companies and their branches working in India?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Four cases referred to the MRTP Commission for

further enquiry and report under Chapter III of the MRTP Act were pending with the Commission on 1st May 1975, details of which are given in the enclosed statement.

(b) In the case of Chloride India Ltd. which is a foreign majority company, 59·3 per cent of its equity share capital is held by Chloride Eastern Ltd., U.K.

Statement

Sl. No.	Name of the Undertaking	Particulars
1.	Modipon Limited.	Notice under Section 21 of the MRTP Act for effecting substantial expansion in the manufacture of Nylon Tyre Yarn.
2.	Chloride India Ltd.	Notice under Section 21 of the MRTP Act for the effecting substantial expansion in the manufacture of Storage Batteries
3.	Delhi Coth & General Mills Co. Ltd. .	Application under Section 22 of the MRTP Act for establishment of new unertaking for the manufacture of Refractories.
4.	Ballarpur Paper and Straw Borad Mills Ltd.	Application under Section 22 of the MRTP Act for establishment of Salt Work at Gokarna.

Employment of Assistant Foremen in O. & N G C in Gujarat Region

8795. SHRI S. M. BANERJEE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether about 20 employees of the Oil and Natural Gas Commission Gujarat region have been working as Assistant Foremen on *ad hoc* basis for the last seven years;

(b) if so, what are the reasons for not appointing them on regular basis;

(c) when are they likely to be given regular appointment as Assistant Foremen;

(d) whether the Oil and Natural Gas Commission is contemplating to call Junior Chargemen for interview for the post of Assistant Foremen; and

(e) if so, reasons for ignoring the claim of those who have been working as Foremen on *ad hoc* basis for all these years?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P. MAJHI): (a) to (e). The information is being collected and will be laid on the Table of the Sabha.

Issue of Travel-as-you-like Tickets

8796. SHRI N. E. HORO:
SHRI K MALLANNA:
Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Authorities have introduced a new scheme 'travel-as-you-like' tickets for the convenience of foreign tourists; and

(b) if so, the salient features regarding the scheme, cost as well as the facilities Government is going to provide to these tourists in Air Conditioned, First Class and IInd Class, the mode of payment and the period?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A deci-

sion has been taken to introduce "Travel as you like" tickets for foreign tourists, which will be valid for a period of 21 days from the date of the commencement of the first journey and will enable the tourists to travel to any place in the country irrespective of the distance. The fares for these tickets will be as under:—

A.C. Class	200 US dollars
First Class/A.C. Chair Car	80 US dollars
Second Class	25 US dollars

While the Air-conditioned tickets will be sold only for foreign exchange, the First Class/A.C. Chair Car and Second Class tickets will be sold against rupee payments also. This Scheme is being introduced with a view to promoting tourism in the country. The other details are being worked out in consultation with the Department of Tourism, Air India and the Ministry of Finance.

Recommendation of Hathi Committee for Setting up Coal-Tar Distillation Plants

8797. SHRI ARVIND M. MATEL:
SHRI GAJADHAR MAJHI.
SHRI VEKARIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleasel to state:

(a) whether with a view to provide a strong infrastructure for the drug industry in India, the Hathi Committee has recommended the setting up of a number of gigantic coal-tar distillation plants at suitable points; and

(b) if so, the names of such points suggested and the reaction of Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The report of the Committee on Drugs and Pharmaceutical Industry was received by Government on the 6th April, 1975 and is receiving its attention.

Causes of Fire in Wagons of Gas Cylinders at Sarai Rohilla Station

8798. SHRI ARVIND M. PATEL:
SARDAR SWARAN SINGH SOKHI:
SHRI SHASHI BHUSHAN:
SHRI K. M. 'MADHUKAR':
SHRI NAWAL KISHORE SHARMA:
SHRI VASANT SATHE:
SHRI P. S. BHAURA:
SHRI D. P. JADEJA:

Will the Minister of RAILWAYS be pleased to state:

(a) what were the causes of fire which broke out in a wagon of gas cylinders at Sarai Rohilla Railway Station in the second week of April, 1975;

(b) the total amount of loss suffered as a result thereof by the railways, railway employees and persons living around that area; and

(c) the action taken against the railway employees held responsible in the matter and steps taken to avoid recurrence of such incidents?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) A gas cylinder developed leakage and caught fire from the flame of a lamp used for sealing the wagon.

(b) Total loss suffered by the Railways is Rs. 3,00,675 including Rs. 1,91,325 being the value of the booked consignments and Rs. 3,600 paid to Railway employees for damage/destruction of their jhuggies (residence). No loss was suffered by other persons living around the area.

(c) The Departmental Enquiry Committee has finalised its Report which is being studied and action will be taken as recommended therein.

Expenditure for Rail Link for Places during 1975-76

8799. SHRI K. L. LAKKAPPA: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the places in the country which Government propose to link by railway during 1975-76 and the expenditure to be incurred thereon;

(b) whether Government have finalised the scheme for linking of places during the Fifth Five Year Plan; and

(c) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Construction of the following new railway lines/restorations is expected to be completed during 1975-76:—

	Name of Project	Expenditure in 1975-76 (Rs. in lakhs)
1.	Pratapganj-Forbesganj (Restoration)	49·72
2.	Jhanjharpur-Laukaha Bazar	50·00
3.	Tornagallu-Mudukulapenta	40·00
4.	Rail link to Haldia Port	99·70
5.	Cuttack-Paradeep	99·30
6.	Guna-Maksi	79·00
7.	Sabarmati-Gandhinagar	32·67

(b) and (c). The proposals for construction of new railway lines during the 5th plan as a whole have not yet been decided. However, the following new lines will be completed or will be in progress during the 5th Plan in addition to those mentioned in (a) above:—

1. B. G. line in the area served by former Howrah-Amta Light Railway.
2. B. G. line in the area served by former Howrah-Sheakhala Light Railway.
3. B. G. line in the area served by former S. S. Light Railway.
4. Chhitauni-Bagaha Restoration.
5. Sakri-Hassanpur.
6. B. G. rail links to Ramnagar and Kathgodam.
7. Rohtak-Bhiwani.
8. Gohana-Panipat Restoration.
9. Dalmau-Daryapur Restoration.
10. Nadikude-Bibinagar.
11. Banspani-Jakhapura,
12. Diva-Bassein Road.
13. Wani-Chanaka.
14. Tirunelveli-Trivandrum-Kanyakumari.
15. Mangalore-Hassan.

Places Linked with Railway during Fourth Five Year Plan

8800. SHRI K. KAKKAPPA: Will the Minister of RAILWAYS be pleased to state:

(a) the particulars of the places which have been linked by railway during the Fourth Five Year Plan;

(b) the expenditure incurred for the purpose; and

(c) the particulars of the places which were originally proposed to be linked by railway during Fourth Plan but could not be linked or are behind schedule of completion date so far with reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The following new railway lines/restorations were completed and opened to traffic during the Fourth Five Year Plan period (1969-70 to 1973-74). The estimated cost of each of them is also indicated against each of them:—

Railway	S.No.	Name of Project	Gauge	Length (in kms.)	Estimated cost (Rs. in crores)	Date of opening
1	2	3	4	5	6	7
Central . .	1	Singrauli-Katni	BG	254·26	20·06	7-2-72 (for goods traffic)
Eastern . .	2	Permanent diversion of Tildanga-Farakka line upto South Abutment of Barrage with a bridge over Feeder Canal	BG	7·82	1·93	11-11-71
		3. Provision of BG Railway Bridge over the Farakka Barrage	BG	2·24	0·76	
	4	BG connection between the left bank abutment of the Farakka Barrage and Chamagram excluding interchange point at Malda .	BG	2·40	0·23	
	5	Diversion of the Ballalpur Halt-Tildanga line along the left bank of the feeder Canal .	BG	5·98	1·02	28-1-72
Northern .	6	Hindumalkot-Sriganganagar .	BG	27·56	1·17	11-1-70
	7.	Singrauli-Obra .	BG	57·56	11·41	30-4-70
	8	Kathua-Jammu .	BG	77·10	13·82	2-10-72
North Eastern .	9	Thurbhita-Bhaphtiahi (Restoration) .	MG	13·00	0·37	16-11-70
Southern .	10	Mangalore-Panambur mixed link(Phase-I)	MG/BG	25·86	23·73	14-10-72 (for whole project)
Southern .	11	Cuttack-Paradeep	BG	84·31	10·11	9-7-73

(c) The names of the new railway lines/restorations which were proposed to be completed during the Fourth Plan and which could not be completed during the Plan period are as under. The reasons for the delay are also indicated against each of them:

Railways	S.No.	Name of Project	Gauge	Length (in kms.)	Reasons for delay
1	2	3	4	5	6
Southern	1.	Mangalore-Hassan	MG	189·21	The project was sanctioned on 2-11-64 and was earlier proposed to be completed during the Fourth Plan. The target date of completion had to be revised due to limited resources, both financial and material, *i.e.* cement, steel and girders required for the project. The project is now expected to be completed by 31-3-77.
Southern		Tornagallu-Mudukulaperta	BG	24	The work was sanctioned during 1970-71 and was expected to be completed by December, 1973, initially. The target date of completion has however, been postponed due to the reduced allotment in the Budget for this project necessitated by the curtailment of funds allotted to the Railways by the Planning Commission. The work is now expected to be completed by 31-7-75.
Western		Guna-Maksi	BG	193·35	The work was sanctioned on 10-4-62 and was at one stage proposed to be completed during the Fourth Plan. This target however, could not be adhered to due to paucity of funds. The line is now likely to be completed by 31-3-76.

Memorandum for Rishikesh-karn Paryag Railway Line

8801. SHRI JAGANNATHRAO JOSHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether a delegation of the Uttarakhand Mahila Mandal led by Shrimati Suman Lata Bhadola presented a memorandum to him on the 5th April, 1975 demanding the construction of Rishikesh-Karan Paryag railway line and introduction of direct railway service between Delhi and Garhwal by 'Badrinath Express' train;

(b) if so, the action taken by Government thereon; and

(c) whether Government will meet these demands of Uttarakhand Mahila Mandal?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) and (c). So far as construction of Rishikesh-Karan Paryag rail link is concerned, a survey carried out in the past revealed that cost of this 160 kms. long line even as narrow gauge would be prohibitive and the project was, therefore, abandoned. No further developments in the area have taken place in the intervening period to justify reconsideration of this proposal. In view of the facts stated above and also because of the present financial stringency it would not be possible to consider the construction of the suggested line.

Introduction of a direct train between Delhi and Kotdwara is neither justified on traffic considerations nor feasible operationally for want of spare line capacity enroute and terminal facilities at Delhi/New Delhi and Kotdwara.

Election petitions filed in High Courts and Supreme Court after 1972 elections to State Legislatures

8802. SHRI SAMAR GUHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how many election petitions have been filed with various High Courts after 1972 State Legislature elections;

(b) the break up of the number of petitions disposed of by the High Courts and the number of those still pending;

(c) the break up of such cases—(i) disposed of by and (ii) still pending in the Supreme Court;

(d) average time required for disposal of election petitions by High Courts and Supreme Court;

(e) whether some election petitions before either High Courts or Supreme Court, remained undecided till next election to Assemblies, if so, the particulars thereof; and

(f) the steps taken or proposed to be taken to dispose of such election petitions expeditiously?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) to (f). The information is being collected and will be laid on the Table of the House.

Licences issued for setting up of Chemical Industries at Haldia Port

8803. SHRI SAMAR GUHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of licences issued for setting up chemical industries in Haldia Port area in West Bengal;

(b) nature of such chemical industries for which licences have been sought;

(c) how many licences have so far been utilised for setting up chemical industries; and

(d) the nature of public sector chemical industries (i) already being set up and (ii) proposed to be set up there?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d). The information is being collected and will be laid on the Table of the Sabha.

Proposal to take-over Gluconate Limited

8804. SHRI SAMAR GUHA:
SHRI D. K. PANDA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government propose to take-over the management and ownership of Gluconate Limited to save this life-saving drug manufacturing concern from closure; and

(b) if so, facts thereabout?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The production of various products manufactured by M/s. Gluconate Limited came to a gradual stop in 1974. The entire question about the rehabilitation of the company and the problems arising from stoppage of production are being considered in consultation with the Government of West Bengal.

Supply of Raw Material to Manufacturing Units in West Bengal

8805. SHRI R. N. BARMAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the drug manufacturing units of West Bengal get raw material at a higher cost as compared to their counter parts in Maharashtra;

(b) if so, what are the reasons for this double standard;

(c) whether the Hathi Committee has suggested that a unit of I.D.P.L. be set up in West Bengal to revitalise the drug manufacturing industry which is languishing; and

(d) if so, what decision has been taken by Government on this issue and also the measures taken to ensure that at least raw material is supplied to West Bengal drug industries at the same rate as is supplied to other units in Maharashtra?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a), (b) and (d). The maximum selling prices of bulk drugs, manufactured indigenously, or imported under the scheme of canalisation of drugs through S.T.C., are controlled under Drugs (Prices Control) Order, 1970 and apply uniformly throughout the country. The prices to the manufacturers of formulations would however vary depending upon the freight and insurance charges etc., or local taxes if any involved.

(c) It is proposed to lay the Report of the Committee on Drugs and Pharmaceuticals headed by Shri Jaisukhlal Hathi on the Table of the House during its current session.

Quality Control Laboratory for Drug Units in West Bengal

8806. SHRI R. N. BARMAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether West Bengal which is one of the States where drug manufacturing units are in large number, has no quality control laboratory;

(b) whether in the absence of drug quality control laboratory in West Bengal, many unlicenced units are selling spurious drugs into the market and the number of such unlicenced units is increasing day-by-day;

(c) whether Central Government propose to set up a drug quality control laboratory in West Bengal, on the pattern of other States; and

(d) if so, when such laboratory is likely to be set up in West Bengal?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (d). Information is being collected and will be laid on the Table of the House.

Decision on take-over of Foreign Drug Firms

8807. SHRI P. GANGADEB: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have taken any decision recently regarding take-over of foreign drug firms;

(b) if so, the broad features thereof;

(c) if not, whether there are any differences of opinion on this issue; and

(d) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI):

(a) No Sir.

(b) Does not arise.

(c) and (d). The Committee on Drugs and Pharmaceutical Industry have looked into various aspects of Drug Industry. The report of the Committee was received on the 6th April, 1975 and is receiving attention of Government.

Proposal to Amend Laws in the Light of Hathi Committee's Report

8808. SHRI D. K. PANDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have a proposal to amend some laws in the light of the Hathi Committee's Report; and

(b) if so, the salient features thereof and the steps being taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The report of the Committee on Drugs and Pharmaceutical Industry was received by the Government on 6th April, 1975 and the same is receiving its attention. The consequential action regarding amendment of laws etc. will depend upon the decisions.

Grievances of Loyal Railway Workers pending with Railways

8809. SARDAR SWARAN SINGH SOKHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the grievances of all the railway workers, who rendered loyal services taking great risk of their lives during Railway strike in May, 1974, have been redressed;

(b) whether any such cases are still pending inspite of assurances given by the Railway Minister in Lok Sabha;

(c) if so, the number with reasons of such cases pending with Railways; and

(d) when they would be redressed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (d). Certain rewards like grant of advance increments, cash awards, employment to the wards of loyal workers and extension of re-employment were to be given to such of those railway employees who stuck to their posts in the face of intimidation and violence and showed great devotion to duty in carrying out their work. About 7 lakhs of railway employees have already been given one of these rewards.

The Railway Administrations are taking all steps to see that all such employees who come within the criteria mentioned above are rewarded.

Demand for New Railway Lines

8810. SHRI B. V. NAIK: Will the Minister of RAILWAYS be pleased to state:

(a) what is the total demand from various quarters for new rail lines as at present, in kilometres;

(b) what would be the total cost of constructing the same at present day prices; and

(c) what is the programme for construction of railway lines during the year 1975-76?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS: (SHRI BUTA SINGH): (a) Demands are received for construction of a very large number of new railway lines by the Ministry of Railways from various quarters and a comprehensive list of all these lines is not maintained.

(b) Does not arise.

(c) The following lines are expected to be completed in 1975-76:—

(1) Jhanjharpur-Laukahabazar,

(2) Pratapganj-Forbesganj (Restoration).

(3) Tornagallu-Mudukulapenta.

(4) Rail link to Haldia Port.

(5) Cuttack-Paradeep rail link.

(6) Guna-Maksi.

(7) Sabarmati-Gandhinagar.

The work on the following lines will be in progress:—

(1) Shahdara-Saharanpur BG line.

(2) Rohtak-Bhiwani.

(3) Tirunelveli - Trivandrum - Kanyakumari.

(4) Diva-Bassein Road.

(5) Wani-Chanaka.

(6) Mangalore-Hasaan.

(7) Hasanpur-Sakri.

(8) BG rail links to Ramnagar and Kathgodam.

(9) Banspani-Jakhapura.

(10) Nadikude-Bibinagar.

(11) Howrah-Amta.

(12) Howrah-Sheakhala.

On some more lines, the residual work will be completed.

Reinstatement of substitutes of C&W and Loco Departments Dhanbad Division

8811. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) the procedures followed to serve the notice of removal orders of the Substitutes in Dhanbad Division particularly for those who acquired temporary status;

(b) total numbers of substitutes appointed during and after Rail strike in Carriage and Wagon and Loco Departments in Dhanbad Division; and

(c) the specific reason for not reinstating those removed Substitutes?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Substitutes who had acquired temporary status were removed from service under Rule 149 of the Indian Railway Establishment Code, Vol. I in the context of the strike in May, '74. They were given 14 days pay in lieu of notice period before their services were terminated.

(b) 297.

(c) The Appellate Authorities have already re-engaged some of the substitutes who had appealed against termination wherever considered justified on merits. Other appeals are still under consideration.

Substitutes removed on plea of Guardians' participation in Strikes, Dhanbad Division

8812. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) the total numbers of substitutes in carriage & Wagon and Loco Departments in Dhanbad Division, Eastern Railway who were removed from service from 10th May, 1974 in connection with rail strike;

(b) the names of the substitutes whose names were deleted by Loco-Foreman, Pathardih as per order of D.S. Dhanbad on the plea that their guardians were not coming to duty during strike; and

(c) the action taken against the above mentioned officers for such gross illegal acts?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) 123.

(b) During the strike train services had to be maintained to keep up the essential supplies and for this purpose railway administration had to take in more substitutes. It is understood that the following substitutes were dissuading fresh substitutes from coming in, there was no other alternative but to discontinue them as substitutes:—

1. S. R. Chowdhury
2. A. B. Singh
3. K. B. Karmarkar
4. Rajendra Shaw
5. Nand Lal
6. Naresh Prasad
7. R. P. Shaw
8. Mehboob Alam
9. Qutbuddin Ahmad
10. Mahesh Prasad
11. S. K. Paul

(c) Does not arise.

Violence and Sabotage Cases pending in Courts against Employees of Dhanbad Division (Eastern Railway)

8813. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether specific cases of violence or sabotage are pending in the courts against Railway workers removed for last rail strike in Dhanbad Division who have not yet been reinstated;

(b) if so, the details of such case against each removed employee; and

(c) the name and designation of each removed employee indicating the reasons for not reinstating him pursuant to the policy declared by the Minister in Parliament?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No

(b) Does not arise.

(c) The policy declared by the Railway Minister in Parliament has been implemented fully in Dhanbad Division.

Punitive Transfer and Repressions Intensified by Divisional Railway Authority, Dhanbad

8814. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether he has received the telegram dated 22nd March, 1975 sent by the Convenor, N.C.C.R.S. Dhanbad Division regarding large scale punitive transfer and repressions intensified by Divisional Railway Authority, Dhanbad; and

(b) if so, the action taken by Government to restore normalcy and good labour relations in the Division?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) As stated by the Minister for Railways in his speech introducing the

Railway Budget for 1975-76. Government's policy aims at maintaining good labour relations. All possible steps have also been taken to ensure that after the illegal strike during May 1974 normalcy is restored on the Railways.

Delhi Rent Control (Amendment) Bill

8815. SHRI SHASHI BHUSHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Ministry of Works and Housing had eversought the opinion of the Law Ministry over the proposed Delhi Rent Control (Amendment) Bill; and

(b) if so, when and the nature of opinion given?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) Yes, Sir.

(b) The opinions were given as and when they were sought and it is not in the public interest to divulge the legal advice given by this Ministry.

Wagon Orders Pending with Six Firms

8816. SHRI SAKTI KUMAR SARKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that upto 28th February, 1975, wagon order pending with M/s Bridge and Roof was 1639, with M/s Braithwate 4999, with M/s Burn and Company 2930, with M/s Indian Standard Wagon Company 2791, with M/s Jessop and Company 804 and with M/s Texmaco 4135;

(b) if so, the details of the order given to these firms during the current year alongwith numbers of wagon supplied by them during 1974-75; and

(c) whether any wagon orders have been withdrawn and if so, the particulars and the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The wagon orders pending with M/s. Bridge and Roof and M/s. Braithwaite as on 28-2-75 were 1194 and 3991 wagons in terms of four-wheelers respectively. The wagon orders pending with M/s. Burn and Company, M/s. Indian Standard Wagon Company, M/s. Jessop and Company, and M/s. Texmaco as mentioned in the Question are correct.

(b) No orders were placed during 1974-75 on these firms. The number of wagons supplied by these firms during 1974-75 are as under:—

		(Figures in terms of 4-wheelers)
1.	M/s. Bridge & Roof .	363
2.	M/s. Braithwaite .	1365
3.	M/s. Burn & Company .	345
4.	M/s. Indian Standard Wagon Company .	30
5.	M/s. Jessop & Company .	504
6.	M/s. Texmaco .	3428

(c) No wagon orders have been withdrawn after 28-2-1975.

Supply of Kerosene Oil in Rural Areas

8817. SHRI ARJUN SETHI. Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) the State-wise demand and supply position in regard to kerosene oil during the last three years, yearwise, together with its present position;

(b) the *per capita* demand and supply position of kerosene oil at present in the rural and urban areas and particularly in the State of Orissa; and

(c) the steps Government have taken to make the kerosene oil easily

available at cheap rates in the far off Adivasi, Vanvasi, Hilly and rural areas?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Statement, showing allocation and sales for the last three years, i.e. 1972, 1973 and 1974 and also for the period January to March 1975, is laid on the Table of the House. [*Placed in Library. See* No. LT-9635/75].

(b) The information is not being maintained on this basis.

(c) Kerosene quotas to the States have been increased since November, 1974. Since then there have been no serious complaints of shortage from the States. Arrangements for distribution of Kerosene Oil in remote and hilly areas are however made by the State Governments. Necessity for making adequate arrangements for this purpose has been stressed and State Governments requested to give special attention to it.

Selling price of Kerosene Oil is controlled statutorily under the Essential Commodities Act, 1955. The State Governments have been empowered to fix retail selling prices of Kerosene Oil, and to enforce the prices statutorily.

Government have also set up a committee to review the existing distribution arrangements of POL products ad suggest measures for improvement. The main report of the committee is expected within about a month's time.

Imposition of Statutory Control on Retail Prices of Petrol and Diesel

8818. SHRI RAM PRAKASH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have taken steps to impose statutory control on the retail prices of petrol and high speed diesel oil to end the unauthorised levy of service charge by petrol dealers in the country; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) No decision has so far been taken on the subject.

(b) Does not arise.

Cases pending in High Courts and Supreme Court for more than Three Years

8819. SHRI RAM HEDAOO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether cases in arrears in courts are increasing every year;

(b) the number of cases pending before the High Courts in the country for more than three years, separately, High Court-wise; and

(c) the number of cases pending before the Supreme Court for more than three years?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) Except in the Supreme Court and four High Courts, the pendency in other High Courts at the end of 1974 has increased as compared to 1973.

(b) and (c). A statement giving the information as on 31-12-1974 is attached.

Statement

S.No.	Name of the Court	Cases pending for more than three years ending December, 1974
SUPREME COURT		4,335
HIGH COURT		
1.	Allahabad	26,631
2.	Andhra Pradesh	361
3.	Bombay	18,641
4.	Calcutta	30,514
5.	Delhi	7,673
6.	Gauhati (formerly Assam and Nagaland)	377
7.	Gujarat	2,905
8.	Himachal Pradesh	226
9.	Jammu and Kashmir	179
10.	Kerala	490
11.	Madhya Pradesh	7,032
12.	Madras	3,319
13.	Karnataka	127
14.	Orissa	939
15.	Patna	1
16.	Punjab & Haryana	12,112
17.	Rajasthan	3,019

Pollution caused by the Zuari Agro-Chemicals Factory

8820. SHRI DHAMANKAR:
SHRI VASANT SATHE:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the problem of pollution caused by Zuari Agro-chemicals Factory in Goa has assumed serious proportion;

(b) if so, whether the Central Government have sent any directive to the Government of Goa and the reaction of the Goa Government thereto; and

(c) effective steps taken/proposed to eradicate pollution hazards?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). Following the sighting of some dead fish in the vicinity of the fertilizer factory at Goa in September 1973, expert studies were organised and these showed that while the fish mortality could not be attributed to the factory effluents, the arsenic and ammonia contained in them had at times exceeded the permissible limits and that the company should take appropriate measures to correct the situation. In regard to the effluents containing arsenic, the company took certain short-term measures to reduce the pollution. As a long term measure, the company has drawn up plans for a change over to a new process known as the 'Benfield' process, which eliminates the use of arsenic. Necessary clearance in regard to the proposed change over has also been given by the Government of India. The changeover is expected to be implemented shortly.

In regard to the effluents containing ammonia, presently being discharged into Bisso Reservoir satisfactory arrangements for their disposal have yet to be evolved. Since measures like grouting were unsuccessful to

arrest seepages from the reservoir, the company has submitted proposals to Government for setting up necessary facilities which include a cooling tower, a stripper and a condensor to reduce the ammonia contained in the effluents to permissible limits. Pending completion of these facilities the company had approached the Central Board for Prevention and Control of Water Pollution for permission to discharge the effluents into the sea. The company has been informed that this could be agreed to provided the effluents conform to IS standards for discharge into inland streams.

The District Magistrate, Goa is understood to have ordered the closure of the factory on 19-4-1975. No directive has been issued by Government to the Government of Goa in regard to this matter.

Closure of D.M.T. Unit of Indian Petro-Chemical Corporation

8821. SHRI DHAMANKAR:
SHRI VASANT SATHE:
Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Indian Petro-Chemicals Corporation's Unit producing D.M.T. has to be closed due to heavy stock piling;

(b) if so, facts of the matter; and

(c) steps taken/proposed to be taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The D.M.T. Plant of Indian Petrochemicals Corporation Limited had to be temporarily shut down with effect from 17th January, 1975, due to poor off-take of DMT and consequential heavy stock piling of the product at that time. The off-take of DMT gradually picked up and the plant has been re-started with effect from 13th March, 1975.

(c) Does not arise.

TA/DA charged by officers for attending Social Function at Jaipur (Western Railway)

8822. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) whether on 6th February, 1975 the Divisional Superintendent Jaipur (Western Railway) arranged the function of marriage of his daughter at Jaipur and all the Divisional Superintendents, Head of Departments including General Manager attended the same,

(b) whether all these Railway Officers as mentioned in part (a) above, charged T.A. and D.A. for this journey;

(c) if so, the T.A. and D.A. charged by all the officers including these mentioned in part (a) above; and

(d) whether Government propose to order a probe to find out the facts by an enquiry through C.B.I.?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) It is a fact that on 6th Febrpary, 1975, Divisional Superintendent, Jaipur solemnised at Jaipur the marriage of his son (and not of his daughter) which was attended by some of the Western Railway Officers, including the General Manager, Western Railway, who happened to be there on 6th February, 1975 and 7th February, 1975 in connection with official meetings with the Rajasthan Chambers of Commerce and Industry and the Rajasthan Government.

(b) and (c). The information is being collected.

(d) No.

Review of Fertilizer Feed Stock Policy

8823. SHRI S. A. MURUGANANTHAM: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have a proposal to reconsider its fertilizer feed stock policy in the light of the crude availability from Bombay High region;

(b) if so, the broad features thereof; and

(c) which are the fertilizer plants proposed to be converted from coal-based to oil-based?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). It is Government's policy to diversify to the maximum extent possible the feedstock for fertilizer production and thereby ensure maximum utilisation of indigenous resources. This policy would also include utilisation of crude oil/associate gas that would be available from Bombay High.

(c) There is no proposal to switch over the coal based plants to oil-based plants. Three coal based plants are under implementation at the pit-heads near Talcher, Ramagundam and Korba.

Proposal to operate Five Offshore Rigs in Indian Waters

8824. SHRI D. D. DESAI:
SHRI SHRIKISHAN MODI:
Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether five offshore rigs would be in operation in the Indian waters in the near future;

(b) if so, the facts thereof; and

(c) the date and time by which they would start working?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P. MAJHI): (a) to (c). In addition to Sagar Samarat already in operation in Bombay High, two more offshore rigs are expected to be deployed in that area by September-November, this year. Surveys conducted in Bengal-Orissa and Kutch offshore basins have indicated structural possibilities. Data of the detailed seismic surveys done are being processed/interpreted. If the results are favourable, two more offshore rigs are expected to be in operation—one each in Bengal-Orissa and Kutch offshore areas after the ensuing monsoon.

Jhuggies Destroyed in Fire due to Gas Cylinder Explosion at Sarai Rohilla Station

8825. SHRI G. Y. KRISHNAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether any compensation has been given by the Northern Railway to its employees whose jhuggies had been destroyed in the gas cylinder explosion at the Sarai Rohilla railway station during the second week of April, 1975; and

(b) if so, the particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A total sum of Rs. 3,600/- has been paid as ex-gratia relief to five Railway employees who were living in jhuggies in Delhi Sarai Rohilla and who suffered loss on account of the explosion of gas cylinders. The quantum of ex-gratia payment ranged from Rs. 200 to Rs. 1,000 depending upon the extent of loss suffered by the Railway employee concerned. The payments were made on the spot on 13th April, 1975.

Accommodation to "Essential Staff" on Indian Railways

8826. SHRI G. Y. KRISHNAN: Will the MINISTER OF RAILWAYS be pleased to state:

(a) the percentage of the essential staff of the Indian Railways provided with Government residential accommodation;

(b) what are the details regarding the availability of accommodation, category-wise and zone-wise; and

(c) the broad features regarding the policy of Railway administration to provide more quarters for their staff?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) About 56 per cent.

(b) The details are given in the attached statement.

(c) The policy of the Railway Administration is to provide quarters on a programmed basis for such of the essential staff as are likely to be called on duty at any odd hours during day or night and thus are required to reside near their place of work. Quarters are also provided for non-essential staff at way-side stations and other places where housing is difficult on account of non-availability of adequate private accommodation. While quarters are being constructed every year within the frame-work of the above policy to the extent of availability of funds, no employee has, however, any right to be provided with quarters.

Statement

Railway	Class I & II	Class III	Class IV	Total
Central	714	20,775	38,607	60,096
Eastern	788	28,702	47,435	76,925
Northern	726	28,088	49,752	78,666
North Eastern	493	13,255	21,345	35,093
Northeast Frontier	282	19,024	28,050	47,356
Southern	607	19,076	20,688	40,371
South Central	464	15,152	23,617	39,233
South Eastern	482	31,438	33,688	65,608
Western	830	24,848	47,311	72,989

भारत में नवीन औषधियों की खोज करने हेतु आधारभूत प्रयोगशालाओं (बेसिक लेबोरेट्रीज) की कमी

8827. **डा. लक्ष्मीनारायण पांडेय :** क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत में नवीन औषधियों की खोज करने हेतु आधारभूत प्रयोगशालाओं (बेसिक लेबोरेट्रीज) की कमी है ; और

(ख) यदि हां, तो इस कमी को पूरा करते के लिए क्या प्रयास किये जा रहे है ?

पेट्रोलियम और रसायन मंत्रालय में उप मंत्री (श्री सी०पी० माझी): (क) और (ख) : औषध जैसे अत्यधिक अनुसंधान परक उद्योग में अनुसंधान और विकास के विचार से सरकारी क्षेत्र जैसे आई डी पी एल तथा एच ए एल और एन सी एल अनुसंधान प्रयोगशालाओं सी डी और आई सहित सरकारी प्रयोगशालाएं तथा कुछ निजी (गैर सरकारी) क्षेत्र की प्रयोगशालाएं महत्वपूर्ण भूमिका निभा रही है । इसके अतिरिक्त, हैक्स्ट साराभाई सीबा गाईगि ग्लक्सो और 29 अन्य औषध निर्माण एकको ने अपने को उच्चतर प्रक्रियाओं के प्राप्त करने के लिय विज्ञान और प्रौद्योगिकी विभाग के साथ पूंजी कृत किया है ।

पेट्रोलियम एवं रसायन मंत्रालय स्वास्थ्य मंत्रालय डी जी टी डी विज्ञान एवं प्रौद्योगिकी सी डी आर आई एल सी एल आर आर एल एच ए एल आई डी पी एल तथा देश में औषध निर्माताओं के 3 संघों के प्रतिनिधियों की एक संयुक्त समिति की देश में औषध के लिय अनुसंधान सरचना को सुदृढ़ बनाने के लिय उपायों को समन्वित करने उनका मूल्यांकन करने तथा उन्हें सुझाने के लिये समय समय पर बैठक की जाती है । श्री जय सुख लाल हाथी के नेतृत्व में औषध एवं भेज्ज पर समिति ने भी इस मामले की जाच की थी और उसकी रिपोर्ट की चालू अधिवश के दौरान सभा पटल पर प्रस्तुत करने का प्रस्ताव है ।

पेनसिलीन, एस्प्रीन तथा विटामिन ए का उत्पादन और आयात

8828. **डा० लक्ष्मी नारायण पांडेय :** क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में वर्ष 1974–75 में "पैनीसिलीन एस्प्रीन तथा विटामिन 'ए' और 'सी' का कितना कितना उत्पादन हुआ ;

(ख) क्या उत्पादन देश की मांग को पूरा करने के लिए पर्याप्त है अथवा विदेशों से इनका आयाता भी किया जा रहा है ; और

(ग) इस कमी को दूर करते के लिए क्या कदम उठाए जा रहे है ?

पेट्रोलियम और रसायन मंत्रालय में उपमंत्री (श्री सी० पी० माझी) : (क) और (ख) इस संगठित क्षेत्र में इन यूनिटों द्वारा 1974 के दौरान पेन्सिलीन एस्पीरीन, विटामिन ए और विटामिन सी के उत्पादन का ब्यौरा और वर्ष 1973–74 के दौरान इन मदों का आयात निम्न प्रकार है :—

क्र० सं०	यूनिट	मद का नाम	1974 के दौरान उत्पादन	वर्ष 1973–74 के दौरान लाख रुपयों आयात का मूल्य	
1.	पेनिसिलीन	एम एम यू	255.29	0.52 (पेनिसिलीन जी पोटाशियम)	0.71
2	एस्प्रीन	मी० टन	800.12	शून्य	शून्य
3.	विटामिनए	एम एम यू	46.44	शून्य	शून्य
4.	विटामि. सी	मी० टन	254.99	306	112.65

(ग) देश में इन औषधों का कोई अभाव नहीं है। देशीय उत्पादन अपर्याप्त होने के कारण विटामिन सी के लिए मांग को आयात के माध्यम से पूरा किया जाता है। मैसर्स जयन्त विटामिन लि० (क्षमता 142.5 प्रतिवर्ष) 1974 के दौरान विटामिन सी का उत्पादन करना आरम्भ कर दिया है किन्तु हिन्दुस्तान एन्टीबायटिक्स लि० (क्षमता 125 मी० टन प्रतिवर्ष) के मामले में उत्पादन सुस्थिर किया जा रहा है। अनेक उपायों यथा नई क्षमता का सृजन विद्यमान यूनिटों का विस्तार आदि की देश इन औषधों का उत्पादन आरम्भ करने के लिए हाथ में ले लिया जा रहा है। हिन्दुस्तान एन्टीबायोटिक्स लि०, एक सरकारी क्षेत्र के यूनिट का प्रस्ताव है कि पांचवी पंचवर्षीय योजना के दौरान 84 एम एम, यू से 160 एम एम यू तक पेनिसिलीन और 125 मी० टन से 250 मी० टन तक विटामिन सी के लिए अपनी विद्यमान क्षमता का विस्तार करने का प्रस्ताव है। 160 एम एम यू की क्षमता वाले दूसरे पेनिसिलीन संयंत्र की स्थापना करने के लिए उनका प्रस्ताव है। वे पेनिसिलीन के उच्च उत्पाद प्रभेदों का प्राप्त करना भी है और जापानी कंपनी के साथ सहयोग की शर्तों को हाल ही में स्वीकार किया है।

खण्डवा-अजमेर सेक्शन में मीटर गेज लाइन में पुराने शयनयानों के स्थान पर नये शयनयानों को चलाने संबंधी प्रस्ताव

8829. डा० लक्ष्मीनारायण पंडित : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार पश्चिम रेलवे के खंडवा अजमेर सेक्शन की मीटर गेज लाइन पर पुराने शयन यानों के स्थान पर नये शयन यान चलाने का है ;

(ख) क्या वर्तमान में चल रहे शयन यान काफी पुराने हैं जिनके कारण यात्रियों को असुविधा होती है ; और

(ग) यदि हां, तो इस बारे में सरकार द्वारा क्या कदम उठाये जा रहे है अथवा उठाने का विचार है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह): (क) से (ग) पहले वाले अभिकल्प के मीटर लाइन के शयन यानों में यद्यपि वह बहुत पुराना नहीं है, छोटी कुछ शयिकाएं है। बाद वाले अभिकल्प के अनुसार सवारी डिब्बों में लम्बी शायिकाए हैं। यह विनिश्चय किया गया है कि नये टाइप के शयन यानों के उपलब्ध होने पर चरण बद्ध आधार पर उनकी व्यवस्था की जाय। खंडवा-अजमेर खंड के सवारी डिब्बे की तदनसार यथा-समय बदल दिये जायेंगे।

रतलाम स्टेशन में मीटर गेज प्लेटफार्म और ब्राड गेज प्लेटफार्म के बीच अन्तर

8830. डा. लक्ष्मीनारायण पांडेय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रतलाम स्टेशन के मीटर गेज प्लेटफार्म और ब्राड गेज प्लेटफार्म के बीच काफी अन्तर है;

(ख) क्या वाली आम तौर पर मिलाने वाली गाड़ियों को नहीं पकड़ पाते हैं क्योंकि उन्हे इन प्लेटफार्मों के बीच लम्बी दूरी को पार करना पडता है ; और

(ग) इस कठिनाई को दूर करने के लिए सरकार का क्या कार्यवाही करने का विचार है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) रतलाम में बड़ी लाइन और मीटर लाइन के निकटतम प्लेटफार्मों के बीच की न्यूनतम दूरी 180 मीटर और बड़ी लाइन

तथा मीटर लाइन के दूरतम प्लेटफार्मों के बीच की अधिकतम दूरी 430 मीटर है। (ख) बड़ी लाइन मीटर और लाइन की गाड़ियों के मेल के लिए अनुसूचित समय सारणी में पर्याप्त समय-सीमा की व्यवस्था है। गाड़ियो के देर से चलने की स्थिति मे, मेल लेने के लिए 15 मिनट का अतिरिक्त समय दिया जाता है।

(ग) बड़ी लाइन और मीटर लाइन का मौजूदा सरेखण ऐसा है कि 4 प्लेटफार्मों के बीच की यह दूरी काफी खर्च किये बिना कम नहीं की जा सकती और इस समय खासतौर से धन की तंगी को देखते हुए ऐसा करना वांछनीय नही है।

Repair of Vaitarna Bridge

8832. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state how soon the Vaitarna Railway Bridge was repaired after the recent closure of traffic on Ahmedabad-Bombay and Bombay Delhi route and at what cost?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): The traffic on South Vaitarna Railway bridge was suspended for two short spells, i.e., for about twelve hours on 24th February 1975 and again for about thirty-five hours between 25th February, and 27th February, 1975. The traffic had to be suspended because the alignment and levels of the track over a portion of the bridge had gone out due to the tilting of one pier caused by tidal variations. The traffic was restored after slewing the track and lifting the girders on packing. For these operations a nominal expenditure of about Rs. 200 was incurred. However, the rebuilding of this bridge has been in progress since October, 1974, as a part of which protection measures like boulder dumping around piers are being undertaken as required to ensure the safety of the existing bridge during rebuilding.

Shortage of Burshane and Indane Gas Cylinders in Gujarat

8833. SHRI P. G. MAVALANKAR. Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) whether Burshane Gas and Indane Gas Cylinders are in short supply at Ahmedabad and in other urban centres in Gujarat;

(b) if so, reasons therefor; and

(c) whether Government are taking any steps or advising the authorities concerned to augment the supply position of both these varieties of gas?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) There is no shortage of Indane or Bushane Gas in Ahmedabad to meet the requirements of existing customers. There is, however, some shortage of Indane Gas in some of the other urban centres in Gujarat resulting in back-log of refills.

(b) Due to the sudden increase in demand in Koyali-fed area due to severe winter and limited availability of packed LPG, a back-log of refills occurred in some markets.

(c) With the on-set of summer, demand has reduced. and IOC expects to clear the back-log by middle of May, 1975.

Dialogue with Leaders of Opposition Parties on Electoral Reforms

8834. SHRI P G. MAVALANKAR: Will the Ministetr of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Prime Minister had invited Leaders of Opposition parties for a dialogue on the electoral reforms late in April this year;

(b) if so, the names of the persons invited and those who actually attended;

(e) the conclusions and agreement, if any, arrived at; and

(d) whether the same will be implemented and if so, when and how?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) Yes, Sir.

(b) Three statements containing the requisite information are laid on the Table of the House. [*Placed in Library. See* No. LT-9636/75].

(c) and (d). Discussions are currently being held with the leaders of the political parties on various aspects of election law. Further action for implementing them will depend on the outcome of those discussions.

Trains cancelled in Gujarat

8835. SHRI P G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether there are any trains that still stand cancelled in Gujarat;

(b) if so, particulars thereof; and

(c) when will the said cancelled trains be restored?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) and (b). Yes 2 pairs of broad gauge, 28 pairs of metre gauge and 9 pairs of narrow gauge passenger carrying trains still remain cancelled in Gujarat.

(c) The trains are being restored progressively and further restoration of the required number of trains will be done as and when the coal position improves.

गया में ऊपरी पुल पर निर्माण कार्य

8836. श्री ईश्वर रेड्डी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि : (क) क्या तत्कालीन रेल मंत्री ने गया (बिहार) रेलवे स्टेशन पर ऊपरी पुल का निर्माण कार्य आरम्भ करने के बारे में वर्ष 1974 में कोई आश्वासन दिया था ; और

(ख) यदि हां, तो क्या सरकार का विचार उनके आश्वासन को पूरा करने हेतु यथाशीघ्र गया स्टेशन पर ऊपरी पुल का निर्माण कार्य आरम्भ करने का है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) और (ख) गया स्टेशन पर दूसरा ऊपरी पैदल पुल सम्भवत : जिस के बारे में माननीय सदस्य ने चर्चा की है, एक अनुमोदित निर्माण-कार्य है । इस पुल से इस स्टेशन के दोनों ओर के परिचालन क्षेत्र और प्लेटफार्म सम्बद्ध हो जावेंगे ।

विजली कृत खंड पर गया एक व्यस्त स्टेशन है और इसलिए, इस प्रकार के निर्माण से कुछ तकनीकी समस्याओं के पैदा हो ने की सम्भावना है जिनके लिए सतर्कतापूर्ण एक विस्तृत आयोजन आवश्यक है । इस निर्माण कार्य का एक वर्ष के अन्दर पूरा कर लिये जाने की सम्भावना है ।

रेलवे द्वारा ले जाये गये यात्री तथा ढोये गये माल की मात्रा

8837. श्री जगन्नाथ राव जोशी
श्री अटल बिहारी वाजपेयी :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) मई में हुई हड़ताल के ठीक पूर्व अप्रैल, 1974 में रेलवे द्वारा कितने यात्रियों को लाया ले जाया गया तथा कितना माल ढोया गया ;

(ख) अप्रैल से अब तक प्रति मास कितने कितने यात्रियों को लाया ले जाया गया तथा कितना-कितना माल ढोया गया ;

(ग) यदि संख्या तथा मात्रा में कुछ कमी रही तो इसके क्या कारण है ; और

(घ) क्या सरकार ने अधिक यात्रियों को ले जाने तथा अधिक माल ढोने के लिये कदम उठाये हैं और यदि हां, तो तत्सम्बंधी मुख्य बाते क्या हैं ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) (क) अप्रैल, 1974 में रेलों ने 2043.8 लाख यात्रियों और 121.3 लाख मिटरिक टन राजस्व उपार्जक माल यातायात की ढुलाई की ।

(ख) अप्रैल, 1974 के बाद ढाये गये यात्रियों और राजस्व उपार्जक माल यातायात के महीनेवार आंकड़े इस प्रकार है :—

महीने	(आंकड़े दस लाख में) यात्री	मालभाड़ा मीटिरिक टन
अप्रैल, 74	204.38	12.13
मई, 74	125.21	10.28
जून, 74	204.89	14.58
जुलई, 74	202.[illegible]	14.07
अगस्त, 74	1[illegible]8.44	15.2[illegible]
सितम्बर, 74	206.00	14.26
अक्तूबर, 74	200.[illegible]4	14.02
नवम्बर, 74	199.10	15.52
दिसम्बर, 74	210.67	15.34
जनवरी, 75	204.95	16.34
फरवरी, 75	190.91	14.91
मार्च, 1975	217.82	16.70

(ग) और (घ) जहां तक माल यातायात का सम्बन्ध है, जून 1 74 के बाद से पिछले वर्ष के इन्हीं महीनों की तुलना में वृद्धि की रूझान रही है । यात्री य तायात के सम्बन्ध में नवम्बर, 1674 तक पिछले वर्ष की तुलना में कमी की रूझान रही लेकिन दिसम्बर, 1974 के बाद से वृद्धि ह ने लगी है । पहले आठ महीनों (अर्थात् अप्रै -नवम्बर, 1974) में यात्री यातायात में आधी कमी ई, 1974 की हड़ताल के कारण हुई और दूसरी आधी कमी इंजन क ले के अभाव में बहुत सी गाड़ियों का चलना अपरिहार्य रू सेरद्द करने के कारण हुई ।

डिब्बा-का ले की सप्ल ई में सुधार ह ने के साथही गाड़िय उत्तर त्तर फर से चलायी जा रही है। पिछले दो महीनों में यात्रियो क; ले जाने वाली 105 जोड़ी [illegible] गाड़ियों क फर से चलाया गया है। 21-4-75 तक केवल 152 ज ड़ी गाड़ियां शेष रह गयी है जिन्हे अब तक नहीं चलाया जा सका है।

Second Class Sleepers in Okha-Delhi Coach

8838. SHRI JAGANNATHRAO JOSHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether quota of only one berth in the II class sleeper 'Okha-Delhi' coach is allotted for the Dwarka Station with the result that even a husband with wife cannot book their berths for themselves from such a renowned pilgrimage centre like Dwarka; and

(b) action being taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) A quota of one berth and two seats has been allotted to Dwarka station in the second class 2-tier sleeper 'Okha-Delhi' coach.

(b) A quota of two berths will be earmarked for Dwarka station and it will be reviewed after 6 months.

Uniforms supplied to Railway Employees

8839. SHRI JAGANNATHRAO JOSHI: Will the Minister of RAILWAYS be pleased to state·

(a) whether ready-made uniforms are given to Railway staff, many of whom have to get them re-cut and re-stiched according to their sizes, resulting in unnecessary harassment and expenditure for the hard-passed Railway employees; and

(b) whether the Railways propose to give them option of obtaining the cloth from Railways and getting the uniforms made from a penal of approved tailors without any extra-expenditure on the Railway Administration?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTTA SINGH): (a) Ready-made uniforms are supplied to staff to the nearest standard size fixed after taking actual measurement except in the case of senior subordinates and abnormal sized personnel who are supplied uniforms to individual measurement. Instances of arranging recutting and re-stiching by the staff have not come to the notice of Administration. However, minor rectifications occasionally required are attended to by the Railways own tailors

(b) No.

Prospects of Oil in Tamil Nadu

8840. SHRI R V. SWAMINATHAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) at how many places the oil has been struck in Tamil Nadu so far; and

(b) whether Planning Commission has been approached to allot more funds for this purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) No commercial deposits of hydrocarbons have so far been discovered in Tamil Nadu.

(b) ONGC's Budget for 1975-76 approved by the Government provides for exploratory work in Tamil Nadu also.

Shortage of Kerosene and Cooking Gas in Tamil Nadu

8841. SHRI R. V. SWAMINATHAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is acute shortage of kerosene and cooking gas in the State of Tamil Nadu;

(b) if so, what are the main reasons for this shortage;

(c) what steps are being taken by the Union Government to improve the supply of these items to the State; and

(d) what was the total quantity of these items supplied to the State during the months of March, April and May, 1975?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). No serious complaints either of shortage of kerosense or of cooking gas to existing customers in Tamil Nadu have been received in this Ministry. However, demand for new cooking gas connections has considerably increased.

(c) Kerosene quotas to the States were increased from November 1974. Since then no serious complaints of shortage have been received from the States. IOC is also releasing about 4,500 to 5,000 new LPG connections every month in Tamil Nadu since March, 1975 to meet the demand for cooking gas.

(d) The quantity of kerosene oil supplied during March, 1975 to Tamil Nadu was 23,103 tonnes. Actual supply figures for April and May, 1975 have not yet been compiled. Figures of LPG supplies are not maintained on State-wise basis.

Steps to be taken to overcome rush of Passengers going to Hill Stations in Summer

8842. SHRI R. V. SWAMINATHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether some urgent steps are likely to be taken to overcome the rush of passengers going to the hill stations in the summer in various centres and railwy stations; and

(b) if so, the measures likely to be taken for the assistance of the passengers for issuing tickets. and to cope with the rush?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) In order to clear the rush of traffic to and from hill stations during the ensuing summer months, special trains/extra coaches by existing trains are being provided, subject to traffic offering.

(b) Additional booking windows as warranted by the passenger traffic offering at various important stations are being opened for the facility of passengers.

Petrol Pumps in Delhi

8843. SHRI H. K. L. BHAGAT: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the total number of petrol pumps in Delhi;

(b) the average daily consumption of petrol in Delhi; and

(c) whether there is any proposal for opening of new petrol pumps in Delhi?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) 199 as on 1st January, 1975.

(b) Approx. 359 Kls.

(c) At present IOC proposes to set up 10 new retails outlets (Petrol Pumps) and HPC has one resitement proposal in Delhi during 1975.

New Railway Stations in Delhi

8844. SHRI H. K. L. BHAGAT: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received representations for opening of new railway stations in Delhi; and

(b) what are the places and when Government propose to start work thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Requests for provision of new stations in Delhi area in the following places have been received:—

(i) Vivek Vihar near Delhi Shahdara.

(ii) Seelampur between Delhi and Delhi Shahdara stations.

(iii) Rampura (Trinagar) between Dayabasti and Shakurbasti stations.

(iv) Nehrunagar between Okhla and Hazrat Nizamuddin stations.

(v) Between West Patel Nagar and Delhi Cantt.

There is, however, no proposal to open stations at the above mentioned places for the present.

Improvement in the Working of Delhi Main Station and New Delhi Railway Station

8845. SHRI H. K. L. BHAGAT: Will the Minister of RAILWAYS be pleased to state the sailent features of the plans of Government for 1975-76 to improve the working of the Delhi main Railway Station and New Delhi Railway Station?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): A detailed survey for provision of a second approach to New Delhi and Delhi Main Railway Stations and additional terminal facilities is in progress.

Decision to set up bench of Kerala High Court at Trivandrum

8846. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have taken final decision in regard to setting up of a separate bench of Kerala High Court at Trivandrum; and

(b) if not, when the final decision will be taken?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) No, Sir.

(b) A decision will be taken after the views of the Kerala Government are received.

Schemes for Railway Lines in Kerala

8847. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether the scheme of laying railway lines in Kerala has been finalised; and

(b) if so, when the work will be started?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b): Construction of railway lines is not considered State-wise but on overall considerations, keeping in view the maximum utilisation of the natural resources, exploitation of mineral wealth and on operational requirements of Railways. However, the following surveys/projects are in progress falling party or wholly in the State of Kerala:—

(i) A BG rail from Trivandrum to Tirunelveli via Nagercoil with a branch line to Kanyakumari has been sanctioned at an estimated cost of Rs. 14.53 crores and the work is in progress.

(ii) Work is in progress for the conversion of MG to BG from Ernakulam to Trivandrum and is expected to be completed by 1976.

(iii) A preliminary engineering-cum-traffic survey for a rail link from Kuttipuram to Trichur via Guruvayur has been sanctioned at a cost of Rs. 86,421. Further consideration to this proposal will have to wait till the survey reports are received and examined.

Construction of Railway Lines in Hilly States, J and K. H. P. etc.

8848. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the Railway lines on which the construction work has been inaugurated, continued or completed during the last three years in the Hill States of Jammu and Kashmir, Himachal Pradesh, Meghalaya, Nagaland, Manipur and Tripura, the Union Territories of Arunachal Pradesh, Mizoram and the Hill areas as defined in the Planning Commission letter dated 9th September, 1966;

(b) the likely date by which each one of these new lines, the construction work on which have been inaugurated or continued during this period, would be completed; and

(c) whether any priority would be given to such works inaugurated in these States/areas in view of the backward economy of these States?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) 1. Kathua-Jammu rail link (in J. & K.).

2. B. G. rail links to Ramnagar and Kathgodam (in U. P.)

3. Nangal Dam-Talwara rail link (in Himachal Pradesh).

(b) and (c): Item 1 has been completed and opened to traffic on 2nd October 1972. Item 2 is an approved work and final location survey for it is in progress after the completion of which construction work will be taken up.

For item 3, Final Location survey is in progress and construction work will be taken up after its completion subject to availability of funds.

एक्जीक्यूटिव आफिस में लेखाकार और कार्य. लेखाकार की ड्यूटी

8849. **श्री हुकम चन्द कछवाय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर रेलवे में कार्य लेखाकार का कोई पद है ;

(ख) क्या एक्जीक्यूटिव आफिस में कार्य लेखाकार और लेखाकार ड्यूटी एक सी है ;

(ग) क्या उत्तर रेलवे ने इन दोनों पदों की ड्यूटी और दायित्व बराबर की मानी है ;

(घ) क्या हैड क्लर्क की तुलना मे कार्य लेखाकार को कम वेतनमान दिया जा रहा है और इस बात की उपेक्षा की गई है कि कार्य लेखाकार के अधिकृत वेतनमान हैड क्लर्क की तुलना में अधिक हैं और हैड क्लर्क कार्य लेखाकार के नीचे काम करते है ; और

(ङ) यदि हां, तो इस विसंगति को दूर करने के लिए और इस बात को सुनिश्चित करने के लिए कि इस पद पर कार्य कर रहे व्यक्ति को कोई हानि न हो क्या कार्यवाही की जा रही है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) :

(क) जी हां।

(ख) और (ग) निर्माण शाखा में नियुक्त निर्माण लेखाकारों और परिशिष्ट-III-ए के अर्हता प्राप्त लेखाकारों का काम एक ही किस्म का है तथापि इन दोनों कोटियों की कमी एक समान नही माना गया क्योंकि पहली कोटि के कर्मचारियों को अपेक्षा कम कठिन विभागी परीक्षा पास करना पडती है।

(घ) और (ङ) निर्माण लेखाकारों की कोटि को संशोधित वेतनमान देने के प्रश्न पर अभी विचार किया जा रहा है।

वर्ष 1972, 1973, 1974 तथा 1975 में अनुसूचित जातियों तथा अनुसूचित जनजातियों के व्यक्तियों को दिये गये ठेले, खोंचे तथा स्टाल

8850. **श्री हुकम चन्द कछवाय** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1972, 1973, 1974 में तथा मार्च 1975 तक अनुसूचित जातियों तथा अनुसूचित जनजातियों के व्यक्तियों को कितने ठेले, खोंचे तथा स्टाल दिये गये हैं ;

(ख) एक ही व्यक्ति द्वारा अलग-अलग नामों से विभिन्न स्टेशनों पर जबरदस्ती कितनी ट्रालिया और स्टाल चलाये जा रहे है और इस प्रकार वह ट्रालियों और स्टालों पर अपना एकाधिकार बनाये हुये है,

(ग) ऐसे कितने ठेकेदार है जो समय-समय पर वर्षों से यही कार्य करते आ रहे हैं और अपनी फर्ज तथा भागीदार बदलते रहते है ; और

(घ) क्या इस समय हरिजनों तथा आदिवासियों के लिये स्टाल, खींचे तथा ट्रालियों का रेलवे द्वारा आरक्षित ई कोटा है और यदि हां, तो कितना और उन्हें पूरा कोटा देने के लिए क्या कदम उठाये जा रहे हैं?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) :

(क) से (घ) सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी।

मैसर्स रोश प्रोडक्टस लि० को लाइसेंस देना

8851. **श्री हुकम चन्द कछवाय** : क्या पैट्रोलियम और रसायन मंत्री महत्वपूर्ण उद्योग श्रेणी के अधीन विदेशी औषध कंपनियों को जारी किये गये लाइसेंसों के बारे में 25 मार्च, 1975 के अता० प्र० सं० 4718 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) मैसर्स रोश प्रोडक्टस लि० को कब लाइसेंस दिया गया था और इसका मूल्य क्या है :

(ख) इस कम्पनी को निर्माण आरम्भ करने से अब तक कितने मूल्य का कच्चा माल औषधियों के निर्माण के लिए दिया गया है और गत नौ वर्षों में कम्पनी द्वारा तैयार की गई औषधियों का मूल्य कितना है;

(ग) क्या इस कम्पनी को दिये गये लाइसेंस का प्रयोग कम्पनी स्वयं ही औषधियों को तैयार करने के लिए किया है अथवा यह लाइसेंस किसी अन्य कम्पनी अथवा फर्म को दिया गया है;

(घ) उसका पूरा ब्यौरा क्या है ?

पेट्रोलियम और रसायन मंत्रालय में उप मंत्री (श्री सी० पी० माझी)

(क) रोश प्रोडक्ट्स लिमिटेड को एक औद्योगिक लाइसेंस, संख्या सी आई एल 119(74) दिनांक 24-4-1974 दिया गया था और इसके अन्तर्गत उत्पादन किए जाने वाले मदों के फैक्ट्री के बाहर के मूल्य 303.5 लाख रुपये है ।

(ख) से (घ) निर्माण प्रारम्भ करने की तिथि से भाग (ग) के उत्तर में आने वाली प्रयोजनाओं के लिए कच्चे माल के आयात हेतु इस कम्पनी को जारी किए गए लाइसेंसों के मूल्य, यदि कोई हो, तथा उनके उपयोग के ब्यौरों के बारे में जानकारी की जा रही है और सभा पटल पर प्रस्तुत कर दी जाएगी । इस कम्पनी द्वारा विगत तीन वर्षों में औषधों की कुल निम्नलिखित बिक्री की गई थी :-

1971	1971-72	892
1972	1972-73	920
1973	1973-74	928

मैसर्स मर्क शार्प एण्ड डोमे को दिये गये लाइसेंस

8852. **श्री हुकम चन्द कछवाय** : क्या पट्रोलियम और रसायन मंत्री महत्वपूर्ण उद्योग "श्रेणी के अधीन विदेशी औषध कंपनियों को जारी किए गये लाइसेंसों के बारे में 25 मार्च, 1975 के अता० प्रश्न सं० 4718 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि।

(क) मैसर्स मर्क शार्प एण्ड डोमे आफ इंडिया प्राइवेट लि० को कितने मूल्य के लाइसेंस दिये गये थे और ये लाइसेंस कब दिये गये थे;

(ख) इस कम्पनी को निर्माण कार्य आरम्भ करने से अब तक कितने मूल्य का कच्चा माल दिया गया है और गत तीन वर्षों में इस कम्पनी ने कितने मूल्य की औषधियों का निर्माण किया,

(ग) क्या कंपनी ने लाइसेंस का स्वयं उपयोग न करके इस किसी अन्य फर्म को दे दिया है, और

(घ) यदि हां, तो इस बारे में पूर्ण ब्यौरा क्या है ?

पेट्रोलियम और रसायन मंत्रालय में उप मंत्री (श्री सी० पी० माझी) :

(क) ई मर्क गर्फ ग्रुप डोम इण्डिया लि० को जारी किए गए आद्यौगिक लाइसेंसों के ब्यौरे नीचे दिए गए है --

क्रम संख्या	लाइसेंस संख्या और तिथि	निर्माण की मद और प्रति वर्ष क्षमता	उत्पादन का अनुमानित वार्षिक मूल्य
1	सी आई एल 185(74) दिनांक 22-6-1974	मिन्टेजोल समर्पेन्सन 20,000 लीटर (इस प्रकार के गत्वयोगों की समग्र क्षमता के अन्तर्गत)	रुपये (लाख) 19 80
2	सी०आई०एल० 205(74) दिनांक 4-7-74	राडीमाईट कैपसूल 12 मिलियन	12 72

(ख) से (घ) उपरोक्त प्रयोजना के लिए कम्पनी के पक्ष में अनुमादित किए गए आयातित सारणीबद्ध कच्चे माल के मूल्यों तथा उसके उपयोग संबंधी ब्यौरे एकत्रित किए जा रहे हैं और सभा पटल पर प्रस्तुत कर दिए जायेंगे । गत तीन वर्षों मे कम्पनी की कुल बिक्री निम्नलिखित थी --

वर्ष		कुल बिक्री
1971	1971-72	856
1972	1972-73	868
1973	1973-74	1051

Recommendation of the Railway Accidents Inquiry Committee regarding S. and T. Inspectors

8853. **SHRI CHANDRIKA PRASAD:** Will the Minister of **RAILWAYS** be pleased to state:

(a) whether the Railway Accidents Inquiry Committee, 1968, recommended that Signal and Telecommunication Inspectors be relieved of stores responsibilities; and

(b) if so, what action has been taken by the Railway administration, Zone-wise, over Indian Railways to implement the recommendation?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) The Third Pay Commission vide their report have observed as under in this context:—

"The Permanent Way Inspectors have a grievance that despite repeated recommendations of various Railway Accident Enquiry Committees, they have not been relieved of responsibility for the custody and accounting of stores materials. It should, however, be recognised that custody of stores is an inseperable part of the duties of Inspectors and that there is no justification for granting a special pay as compensation for such work." For this purpose the report is applicable to Signal Inspectors also as the nature of duties performed by them are similar. The subject is under active consideration.

Standard and uniform designation of various categories on Railways

8854. SHRI CHANDRIKA PRASAD: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1363 on the 20th November, 1973 regarding uniform designation for S. & T. staff on Indian Railways and state:

(a) whether list of standard and uniform designations of various categories have been circulated all over Indian Railways and are being followed;

(b) if so, what are the various designations and their brief work details and if not, the reasons therefor;

(c) whether such instructions involve some financial complications or some other difficulties; and

(d) if so, what are those?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (d). The information is being collected and will be laid on the Table of the Sabha.

गत तीन महीनों में दिल्ली रेलवे स्टेशन पर रेलगाड़ियों का देर से पहुंचना

8855. श्री शंकर दयाल सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) गत तीन महीनों में, अर्थात् जनवरी, 1975 से मार्च, 1975 तक, दिल्ली रेलवे स्टेशन पर कितनी रेलगाड़िया समय पर आई और कितनी विलम्ब से; और

(ख) इन रेलगाड़ियों के देर से आने के क्या कारण हैं और इसमें सुधार लाने के लिये सरकार कौन से कदम उठा रही है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) जनवरी से मार्च, 1975 की अवधि मे, दिल्ली जंक्शन स्टेशन पर कुल 3783 गाड़ियां समय पर आयी और 3171 गाड़िया विलम्ब से पहुची ।

(ख) विलम्ब से पहुंचने के विभिन्न कारण हैं, जैसे खतरे की जंजीर खीचना/शरारत पसन्दों की गतिविधियां, यांत्रिक/सिगनल की खराबियां, गाड़ियो का धारण और प्राथमिकता आदि, आदि। गाड़ियों के समय-पालन पर निरन्तर निगाह रखी जाती है और सभी परिहार्य रुकावटों पर विचार किया जाता है तथा संबंधित कर्मचारियों के विरुद्ध कार्यवाई की जाती है । खतरे की जंजीर खींचने की घटनाओं की रोकथाम के लिए, प्रभावित खण्डों पर सिवल पुलिस की सहायता से विशिष्ट रूप से छापे मारने की व्यवस्था की जाती है । और अधिक संख्या में ऐसे छापों की व्यवस्था के लिए राज्य सरकार/पुलिस प्राधिकारियों की सहायता मांगी गयी है ।

समस्तीपुर और दिल्ली के बीच चल रही जयन्ती जनता एक्सप्रेस गाड़ी का अन्तरण

8856. श्री शंकर दयाल सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या समस्तीपुर और दिल्ली के बीच चल रही जयन्ती-जन्ता एक्सप्रेस गाड़ी को वहां से हटा कर कलकत्ता और दिल्ली के बीच के लिये शुरु कर दिया गया है; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

रेल मंत्रालय में उप मंत्री (श्री बूटासिंह): (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

Wagons destroyed due to Explosion of Cooking Gas Cylinders in Wagons at Sarai Rohilla

8857. SHRI NAWAL KISHORE SHARMA: Will the Minister of RAILWAYS be pleased to state the total number of wagons destroyed and damaged as a result of explosion of cooking gas cylinders at Sarai Rohilla Station in the second week of April, 1975?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): 6 wagons were destroyed and 13 wagons were damaged.

Proposal to give Legal Aid to Tribals during the Fifth Five Year Plan

8858. SHRI K. PRADHANI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is a proposal to give legal aid to the tribals during the Fifth Five Year Plan;

(b) if so, how much money has been allotted for the same;

(c) whether it is proposed to be allotted state-wise; and

(d) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) to (d). The information is being collected from the Ministry of Home Affairs and will be laid on the Table of the House.

Special Concession to Develop Backward Areas by Railway Lines to Promote Industry

8859. SHRI K. PRADHANI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have any special plan to develop backward areas by linking with railway lines to promote industry in those areas where there is sufficient infrastructure for development of industry; and

(b) if so, which are the places where Railways have undertaken construction?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Priority is given to the construction of railway lines connected with major industries many of which are located in backward areas.

(b) A Statement showing new lines/restorations which are at present under construction or have been approved for construction, is attached.

Statement

The following new railway lines/ restorations are at present under construction or have been approved for construction:—

Sl. No.	Name of line	Gauge	Length (in kms.)
1	BG line in the area served by former Howrah-Amta Light Railway	BG	73·53
2	BG line in the area served by former Howrah-Sheakala Light Railway	BG	167·00
3	BG line in the area served by former Shahdara-Saharanpur Light Railway	BG	161·00
4	Pustapganj-Forbesganj Restoration	MG	41·00
5	Chhitauni-Bagaha Restoration	MG	28·41
6	Jhanjharpur-Laukaha Bazar	MG	72·30
7	Sakri-Hassanpur	MG	74·40
8	BG rail links to Ramnagar and Kathgodam	BG	168·66
9	Rohtak-Bhiwani	BG	49·30
10	Gohana-Panipat Restoration	BG	43·27
11	Dalmau-Daryapur Restoration	BG	26·00
12	Tirunelveli-Trivandrum-Kanyakumari rail link	BG	167·00
13	Nadikude-Bibinagar	BG	153·00
14	Diva-Basse in Road	BG	41·96
15	Wani-Chanaka	BG	75·76
16	Sabarmati-Gandhinagar	BG	27·85
17	Tornagallu-Mudukulapenta	BG	24·00
18	Mangalore-Hassan	MG	189·21
19	Remaining portion of rail link to Haldia Port	BG	10·18
20	Banspani-Jhakapura	BG	176·00
21	Guna-Maksi	BG	193·53

All the lines are located in backward area.

Facilities provided at Sealdah Station

8860. SHRI TUNA ORAON: Will the Minister of RAILWAYS be pleased to state:

(a) number of trains that move in Sealdah Station in a day and approximate number of persons using this station in a day;

(b) the facilities provided for the passengers in this station in comparison to Howrah, Bombay and Madras Stations;

(c) number of persons arrested in this station for the ticketless travel during the last three years; and

(d) whether proper checking of tickets is done at this station?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Altogether 406 trains arrive and leave Sealdah station daily The number of passengers using the station daily is approximately 33,550 either way on an average.

(b) The facilities provided at Sealdah station cannot be at par with those provided at Howrah, Bombay and Madras stations because the latter stations deal with very much larger number of long distance trains whereas Sealdah station deals mainly with suburban trains However, all facilities that are required have been provided at Sealdah station such as booking and enquiry offices, waiting rooms, retiring rooms, refreshment rooms, drinking water arrangements, vendors stalls, latrines and urnials, bookstalls, postal counter, public address system, bed rolls, ice containers, invalid chairs, train indication boards, benches, lights and fans in platforms, taxi stand facilities etc. In order to improve the facilities, remodelling of Sealdah station was taken up in 1960-61 in three phases. Work on two phases has been completed and the work on the third phase is now in progress and will be completed in the Fifth Plan.

(c) Number of ticketless travellers prosecuted at Sealdah station:

1972.	2899.
1973.	2782.
1974.	2003

(d) Proper checking of tickets is done at Sealdah station to the maximum extent practicable keeping in view the law and order situation.

Konkan Railway Project

8861. PROF. MADHU DANDAVATE: Will the Minister of RAILWAYS be pleased to state

(a) whether it is true that the Konkan Railway Project is not an "approved" project;

(b) if so, what are the difficulties in according approval to the project; and

(c) when will the approval be given?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Except for the survey, the project is not yet approved but will be considered

(b) and (c): The final location survey between Apta and Dasgaon has been completed and the reports are under examination. The final location survey between Dasgaon and Ratnagiri including spot checks between Ratnagiri and Mangalore is in progress. The approval to the project will be considered later.

Demonstration by Railway Employees in front of Parliament.

8862. PROF. MADHU DANDAVATE: Will the Minister of RAILWAYS be pleased to state:—

(a) whether the Railway employees staged a demonstration before the Parliament on 23rd April, 1975 under the auspices of All India Railwaymens' Federation;

(b) if so, whether a memorandum was submitted on behalf of the Railway employees; and

(c) if so, the salient features of the memorandum?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c) Apart from some Press Reports, no official information is available.

Expansion of Mangalore Fertilisers and Chemicals

8863. SHRI P. R. SHENOY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Mangalore Fertilisers and Chemicals have applied for the expansion of their plant at Mangalore;

(b) whether this company is a joint sector undertaking in which the State of Karnataka is having 25 per cent of the shares and the State Co-operative Federation having 26 per cent of the shares; and

(c) whether this company has any selling agency and if so, the names of parties interested in the agency?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAGHI): (a) M/s. Mangalore Chemicals and Fertilizers Ltd., had submitted an application in April 1973 for expansion of the capacities for production of fertilizers in their fertilizer project. The proposed expansion was based on fuel oil as feedstock. In view of the restricted and uncertain availability of fuel oil, the party were advised to reapply, if interested, on the basis of coal as feedstock. The company have represented that in view of the legistics problems involved in transporting coal to Mangalore, they may be allowed to base their plant on petroleum feedstock. This request would be kept in view in planning advance action for development of additional fertilizer capacity during VI Plan period.

(b) The promoters of Mangalore Chemicals and Fertilizers Ltd., are the Karnataka State Industrial Development Corporation Ltd., (100 per cent Karnataka State Government Company), the Karnataka State Agro Industries Corporation Ltd., (held by Karnataka State Government 51 per cent and Government of India 49 per cent) and Karnataka State Co-operative Marketing Federation Ltd., (Controlled/aided by Karnataka State Government). The extent of their shareholding in the company is a follows:—

(Rs. in crores)

	Equity (Rs. 12·50 crores) Value	% of Equity	Preference (Rs 3·00 crores) Value	% of Equity
KSIDC	2·0	16·00	..	..
KSAIC	0·70	5·60	0·30	10·00
KSCMF	1·20	9·60	1·30	43·33
	3·90	31·20	1·60	53·33

(c) The rest of the shares are held by public Financial Institutions, private institutions and the general public. The entire distribution of the fertilizer that would be produced would be organised through the Karnataka State Cooperative marketing Ferderation Ltd., the Karnataka State Agro Industries Corporation Ltd., and Rallies India Ltd. The Karnataka State Cooperative Marketing Federation Ltd. and Rallies India Ltd., would each distribute 37.5 per cent of the Production and Karnataka State Agro Industries Corporation Ltd. 25 per cent.

Thefts in Sealdah Division during 1975

8864. SHRI M. S. PURTY: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the persons arrested during 1975 upto date with their fathers' names, address and occupation;

(b) the nature of the punishment given to each person;

(c) the amount of Railway and public property lost during the said period and the compensation given by the Railways;

(d) names of the Railway employees if any, involved in such cases, and the nature of action taken to each case; and

(e) the results achieved by the preventive measures taken to curb the incidents of theft?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (e): The information is being collected and will be laid on the table of the Sabha.

Condition of Coaches in Sealdah- Bangaon Line

8865. SHRI M. S. PURTY: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 5398 on the 8th April 1975 regarding condition of coaches in Sealdah-Bangaon line and state:

(a) whether deficiency of about 55 per cent regarding Fans and Light in the coaches of Sealdah-Bangaon line is due to the mismanagement of the Railway authorities there;

(b) the number of trains running on this line in the night;

(c) whether the miscreants are active on this line; and

(d) if so, the particulars of the incidents brought to the notice of Railways during last three years with the name of the persons (including Father's name) and occupation involved in these incidents?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) There is a substantial deficiency of fans in coaches operating on the Sealdah-Bangaon line. This is not due to mis-management of the Railway authorities.

(b) 21 (between 1800 hrs.—6-00 hrs.)

(c) Yes.

(d) The names and parentage of persons arrested are as under:—

1973

1. Mohd. Asgar s/o. Golam Hossain of Uranpara, Titagarh, 24 Parganas.
2. Narang Thakur s/o Bhadreshwar Thakur of Mungrapara, Shamnagar, 24 Parganas.
3. Kanhai Lal Gupta s/o. Bimal Kumar Gupta, 164, Raj Road, Titagarh, 24 Parganas.
4. Paresh Nath s/o Bhola Nath, Tandel Lane, Titagarh, 24 Parganas.
5. Rakhal Das s/o Late Haldhar Das (Homeless).
6. Hamid Ali s/o Mohd. Ali (Homeless).

1974

1. Mohd. Quddish s/o Mohd. Sayyad, Entally, Calcutta.

2. Rabindra Nath Hazra s/o. Balai Hazra, Amta, Howrah.

3. Mohd. Alam s/o. Late Abdul Sattar, Tangra, Calcutta.

4. Mohd. Jalil s/o. Mohd. Kallu, Tangra, Calcutta.

5. Babu Kali Haldhar s/o. Late Jabbar Haldhar of Alam Sjaud, P. S Kutli

6. Kashi Nath Mandal s/o. Amal Kanti Mandal, Ramchandrapur, P.S. Jayanagar, 24 parganas.

7. Kali Pada Paul s/o Radha Govind Paul, Ramchandrapur, P. S. Jayanagar, 24 Parganas.

1975 (upto March)

1. Subeer Mistry s/o. Suren Mistry of Rentan BRS Colony Shamnagar, 24 Parganas.

2. Mai Das s/o. Shambhu Das, 20, Scot Lane, Calcutta 9.

3. Ranjit Sarkar s/o. Late Ganesh Sarkar, Huge Road, Pilkhana, Entally, Calcutta

4. Birbal Das s/o. Krishto Das (Homeless)

5. Roop Chand Mulla s/o. Late Purali Mulla, Ramchandrapur, Diamond Harbour.

6. Nalin Das s/o. Late Narain Das of Gobind Nagar Colony, 24 Parganas.

7. Naran Bhowmick s/o Homendra Bhowmick of Rabindrapalli, Dum Dum.

8. Deepak Saha s/o. Kamal Saha of Nandan Nagar, Belgharia, 24 Parganas.

9. Hari Ram Sinha s/o. Harish Chandra Sinha, Kalipara, Nadia.

10. Subhash Chandra Jaswal s/o. Dishwa Nath Jaswal, 9, Ghosh Lane, Calcutta.

11. Dilip Jaswal s/o. Radhey Sham Jaswal, 9, Ghosh Lane, Calcutta.

12. Shankar Ranjan Paul s/o. Sadhan Behari Paul, 42, East Singhi Lane, Calcutta.

13. Shamal Kumar Sarkar s/o. Sudhir Kumar Sarkar, East Singhi Lane, Calcutta.

14. Anand Chakravarti s/o. Hari Narain Chakravarty, Sonarpur, 24 Parganas

15. Paritosh Paramanick s/o. Bhadreshwar Paramanick Balia, Sonarpur, 24 Parganas.

Shortage of Essential Drugs in the Country

8866. SHRI BIRENDRA SINGH RAO: Will the Minister o PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is acute shortage of essential drugs in various parts of the country;

(b) whether prices of the same have gone high during the last one year; and

(c) if so, what are the reasons thereof and what steps are being taken by Government to ensure adequate supply of these drugs at reasonable prices?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) There is no acute shortage of essential drugs in the country. However, presently the shortage of the following drugs has been reported and the reasons for the shortages are indicated against each:

1. Heparin: Power shortage.

2. Triple Antigen Injections: M/s.

Glaxo Laboratories, one of the manufacturers have stated that this product was producing local reactions and they are trying to further improve their strains to minimise such reactions and as such their product will not be available for a period of approximately two years.

3. *Pethidines*: The indigenous manufacturers M/s. Gluconate are reported to have discontinued production of this drug.

4. *Anaesthetic Ether*: One of the indigenous manufacturers, M/s. Hyderabad Chemicals, are reported to have discontinued production of this drug. The production of M/s. Alembic Works was affected during 1974 due to intermittant power break-down

5. *Adrenaline*: M/s. Burroughs Welcome who are the only manufacturers of this drug in the country have stated that they find manufacture of this drug uneconomic.

6. *Aldomet*: M/s. Merck Sharp and Dohme had not agreed to lift Methyl Dopa, used in the preparation of Aldomet, imported by STC from Hungary.

7. *Indocid*: M/s. Merck Sharp and Dohme who are the major formulators of Indomethacin have been insisting that this bulk drug should be imported from their principals in USA for preparation of Indocid.

Reports of occasional shortages of some proprietory branded items are also received from time to time but similar preparations of other manufacturers are generally available in the market.

(b) and (c). Prices of drugs are statutorily controlled under the Drugs (Prices Control) Order, 1970. However units having sales turn-over not exceeding Rs. 50 lakhs per annum have been exempted from taking Government's approval for revision/fixation of prices of their products.

The price increases have been allowed on account of increases in the prices of bulk drugs, chemicals, intermediates, packing materials., etc., after necessary scrutiny by the Bureau of Industrial Costs and Prices and approval by the Government

In order to ensure adequate supply of drugs, periodical meetings are held in the Ministry to review the reports of shortages. Whenever instances of shortages come to the notice of Government, the matter is taken up with the manufacturers concerned and they are advised to meet such requirements on an emergent basis. Position in regard to the seven drugs specified at (a) above is indicated below:

1.	Heparin	Adequate potential is available. All the States have been requested to meet the requirements of power for drug industry particularly units having a continuous process.
2.	Triple Antigen Injections	The balance requirements will be met through imports till adequate potential is built up in the country.
3.	Pethidine	Same as for Triple Antigen Injections.
4.	Anaesthetic Ether	Adequate potential is available. M/s. Alembic Chemicals are stepping up their production of this drug by cutting down their production of Sulpher Ether.
5.	Adranaline	Adequate potential available in the country. This item is, however, admissible for imports under the Import Trade Control Policy. Actual users have been advised to apply for import of this drug to the extent M/s. Burroughs Wellcome cannot meet their demand.

6.	Aldomet	STC have been requested to import a small quantity of Methyl Dopa from the Principles of Merck Sharp & Dohme in U. S. A. to cover about 3 month's entitlement of M. S. D. (India) as a stop gap arrangement IDPL and other Indian units have agreed to formulate from the Hungarian material.
7.	Indocid	STC have been requested to import a small quantity of Indomethacin from the principals of M. S. D. in U. S. A. as a stop gap arrangement. IDPL will also shortly be putting in the market their formulation of Indomethacin

Uniforms to Staff of S. & T. on Northern, North Eastern, Western and South Central Railways

8867 SHRI RAJDEO SINGH Will the Minister of RAILWAYS be pleased to state:

(a) whether various categories of staff of Signal and Telecommunication Department have been provided with uniforms as per revised Dress Regulation over the Northern, North-Eastern, Western and South Central Railways;

(b) if so, what are the details of uniforms provided to each category over the above mentioned Railways division-wise, along with the date of last supply and whether uniforms have been according to Amendment No. 9 of Northern Railway to all class IV and class III staff;

(c) if so, what are the facts of supply; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SNGH): (a) to (d). The information is being collected and will be laid on the Table of the Sabha in due course.

Year-wise Planning for Building Wagons (upto 1978)

8368. SHRI S. R. DAMANI: Will the Minister of RAILWAYS be pleased to state·

(a) the year-wise planning done upto 1978 for building the wagons strength to match with the increasing freight traffic:

(b) the arrangements made for procuring the required number of wagons in a phased manner; and

(c) the details of financial allocations made for the purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SNGH) (a) to (c). Requirements of wagons are assessed by the Railways for the Five Year Plan period as a whole taking into consideration the anticipated growth of traffic during the Plan period The draft Fifth Five Year Plan document envisages procurement of 1,00,000 wagons (in terms of 4-wheelers) during the Plan period in order to meet the demand of traffic at the end of the Plan

In 1974-75, the first year of the Plan, 16,958 wagons (in terms of 4-wheelers) were procured at an estimated cost of Rs. 57.40 crores. The provision of Rs. 37.13 crores for wagons made in the Annual Plan 1975-76 would enable procurement of about 6,000 wagons (in terms of 4-wheelers) during the year. The number of wagons to be procured during the remaining years of the Plan will depend upon the availability of funds and the trend of traffic materialisation.

Amendment of MRTP Act to Check Growth of Concentration of Income and Wealth

8869. SHRI JYOTIRMOY BOSU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether MRTP Commission have recomended radical amendments to the MRTP Act with a view to make it an effective weapon to check the growth of concentration of income and wealth in a few hands;

(b) if so, the salient features thereof; and

(c) what is the reaction of Government to the said recomendations?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATHA BARUA): (a) and (b). The M.R.T.P. Commission has recommended certain amendments to the provisions of the M.R.T.P. Act, the salient features of which are:

(i) To make some of the existing provisions more effective and confer on the Commission powers to make interim orders wherever necessary;

(ii) To make the definition of the expression 'same management' more broadbased;

(iii) To extend the scope of the power of the Commission in obtaining information or documents;

(iv) The insertion of a new section 27 in place of the existing one; and

(v) To make section 31 of the Act applicable in relation to restrictive trade practices policy.

(c) These suggestions of the Commission are presently under consideration alongwith certain other amendments necessary to be made in the Act.

Mid Term Poll in Gujarat, Pondicherry and Nagaland

8870. SHRI JYOTIRMOY BOSU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the texts of the proposals and recommendations made by the Election Commission and his Ministry in regard to, holding of Mid-term poll in Gujarat, Pondicherry and Nagaland, todate since the promulgation of President's rule to these States/Union territories?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): As far as Gujarat is concerned, under sub-section (2) of section 15 of the Representation of the People Act, 1951, the Election Commission has recommended to the Governor of Gujarat the issue by him on 7th May, 1975, of a notification under the said section calling upon all the assembly constituencies in the State to elect members for the purpose of constituting a new legislative assembly for the State. The Election Commission's notification under section 30 of the said Act will also be issued on the 7th May, 1975.

The Union territory of Pondicherry was brought under President's rules on 28th March, 1974. Simultaneously the Legislative Assembly was also dissolved. President's rule was extended for a further period of six months with effect from 28th March, 1975.

The Election Commission has not made any proposal or recommendation to the Government for holding a general election for constituting new legislative assembly for Pondicherry.

As far as Nagaland is concerned, the Proclamation imposing President's rule in Nagaland was issued on 22nd March, 1975. The legislative assembly of Nagaland has been kept under suspension and has not been dissolved. The question of holding a general election in that State does not arise.

Parity in Training to Coaching Clerks of Moradabad Division and Delhi Division (Northern Railway)

8871. SHRI RAM PRAKASH: Will the Minister of RAILWAYS be pleased to state:

(a) whether in Moradabad Division, Coaching Clerks are being nominated for training in Goods and Goods Clerks are being nominated for training in Coachining, regularly;

(b) if so, whether the same practice is adopted on Delhi Division also; and

(c) if not, reasons for allowing such discrimination from Division to Division of the same Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SNGH): (a) Yes; there is a local arrangement of booking willing Coaching Clerks for goods training and *vice versa*.

(b) No.

(c) The practice in the Moradabad Division is being discontinued.

Increase in Pilferage, Thefts and Damage Percentages in Northeast Frontier Railway

8872. SHRI ROBIN KAKOTI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is increase in pilferage, theft and damage percentages in Northeast Frontier Railway with the introduction of R.P.F. in Northeast Frontier Railway; and

(b) the number of complaints and claims for compensation received during the last three years and total amount paid as compensation and number of cases which are still pending for settlement for the above respective years?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SNGH): (a) No.

(b) The number of new claims received, amount of compensation claims paid for all causes and the number of claims cases pending settlement during 1972-73, 1973-74 and 1974-75 (up to January, 1975) are as under:—

Year	No.of claims cases received	Amount of compensation claims paid for all causes	Total No. of pending cases
		(Rs. in lakhs)	
1972-73	41,906	110·66	Nil
1973-74	38,240	148·33	Nil
1974-75 (upto Jan75)	32,577	123:54	7089

Construction of New Branch-Lines in North-Eastern Region (Northeast Frontier Railway)

8873. SHRI RABIN KAKOTI: Will the Minister of RAILWAYS be pleased to state:

(a) new branch-lines in Northeast Frontier Railway which are going to be constructed in the Fifth Five Year Plan period in North-eastern region; and

(b) total cost estimated to complete the above new lines and time expected for completion of each new line?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) No decision for the construction of new lines during the Fifth Five Year Plan has yet been taken. However, surveys for the following proposals falling in the North Eastern Region have either been completed or are under progress. Further consideration to these proposals would be given after the reports are received and examined. The tota

estimated cost/time expected for completion would also be known after the examination of the reports is completed:

(i) Silchar-Jiribam.

(ii) Dharmanagar-Agartala (incluning Dharmanagar-Kumarghat).

(iii) Akhaura-Agartala-Sabroom-Belonia.

(iv) Provision of sidings from Azampur in Bangladesh to Agartala in Tripura and from Belonia station to Belonia City in Tripura.

(v) Pancharatnaghat-Dudhnai-Darangiri.

(vi) Lalaghat-Sairang (Survey sanctioned and likely to be taken up shortly).

(vii) Gauhati-Burnaihat.

(viii) Rangapara-Balipara-Bhalukpung.

(ix) Tipling Itanagar (Survey sanctioned and likely to be taken up shortly).

(x) Murkongselek-Passighat (Survey sanctioned and likely to be taken up shortly).

(xi) Gauhati-Dudhnai (Survey sanctioned and likely to be taken up shortly).

Misuse of Labour and Sale of Railway Material

8874. SHRI MAHADEEPAK SINGH SHAKYA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3777 on the 20th March, 1975 regarding complaint regarding misuse of labour and sale of Railway material and state:

(a) whether the investigations have been completed;

(b) if so, whether the staff at fault have been transferred to some unimportant station; and

(c) if not, reasons for the delay?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes. However, the specific allegations made in the complaint have not been substantiated.

(b) No, as transfer was not justified in this case.

(c) Does not arise.

Restrictions on Appointment of Wards of Loyal Railway Employees

8875. SHRI RAM PRAKASH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the wards of those employees who remained loyal during May, 1974 strike were recruited by the Railway administration in different categories of class III service;

(b) if so, whether there was any restriction imposed for the wards of those employees who were already in service; and

(c) if so, whether any declaration was taken from employees or their wards?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Recruitment of

sons|daughters|wards of Railway employees who showed outstanding devotion to duty was made by the Railway Administrations.

(b) Appointment is given only to a son, daughter or a ward of the employee concerned. Appointments are to be made only in initial recruitment categories and not in intermediate grades.

(c) Only the usual formalities, which candidates for appointment have to fulfil, have been insisted upon.

Show Cause Notices served on Goenka Group of Companies

8876. SHRI BHOGENDRA JHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 6116 on the 15th April, 1975 regarding enquiries and cases pending against Shri R. N. Goenka and concerns associated with him and state whether replies to show cause notices served on the seven Goenka Group of Companies for violation of the Companies Act have since been received and if so, a gist thereof and action taken thereon and if not, steps taken for expediting the same?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): Out of the seven companies mentioned in answer given to the Unstarred question 6116 on 15th April, 1975, writ petitions moved by the companies at Serial Numbers 4 and 6 of the said answer in connection with Show Cause Notices issued under section 496 of the Companies Act, 1956, are pending before the Madras High Court. Gist of the replies can not appropriately be furnished as the matter is *sub-judice*.

Chairman of M/s. Sandoz

8877. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) who was the Secretary, Ministry of Industry and Chairman of Licensing Committee at the time of issue of industrial licence No. L/22/166/63-Ch III dated the 31st August, 1963,

(b) whether the former Chairman, Licensing Committee is employed as Chairman of Sandoz Limited and he got this reward for doing favourtism to M/s Sandoz as a Government officer;

(c) what are the terms of appointment of the Chairman, Sandoz, his salary and perquisites;

(d) what are the broad features of the letters exchanged between the Secretary of Ministry of Petroleum and Chemicals and the Ministry of Finance on the issue of stopping payments to the foreign company and reasons for this steps; and

(e) what action Government propose to take for the violation of provisions of I(DR) Act in this case?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (e). Information is being collected and will be laid on the Table of the House.

CORRECTION OF ANSWER TO UNSTARRED QUESTION No. 3912 DATED 16-12-1974 RE: BASIS FOR ALLOTMENT OF PETROL PUMPS TO STATES.

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): While laying on the Table of the House the reply to the Lok Sabha Unstarred Question No. 3912 on 10th December, 1974, I had, *inter alia* given in the tabular statement in reply to parts (a) and (b) of the question the figures against U.P., Delhi and Haryana in respect of Burmah-Shell during the year 1973 as nil, 8 and nil respectively. These figures were erroneously furnished by M/s. Burmah-Shell Oil Storage & Distributing Co. of India Ltd. Later on when a copy of the reply was sent to the Company, the company have furnished the figures for U.P., Delhi and Haryana as 7, nil and 1 respectively. The total No. of retail outlets of Burmah-Shell during 1973 remain unchanged

2. To the extent indicated above, I crave the indulgence of the House to correct the reply previously given. I wish to add that the incorrect information earlier given was due to its having been furnished hurriedly by the company. The Company has expressed its regret for the error.

12 hrs.

RE: ADJOURNMENT MOTION

श्री मधु लिमये (बांका) अध्यक्ष महोदय, एक स्थगन प्रस्ताव का नोटिस मैंने दिया है। मेहरबानी करके मुझे उस पर सबमिशन करने दीजिये ताकि मैं आप का निर्णय मांग सकूं। अगर आप अनुमति देंगे तो आधे मिनट में मैं अपनी बात खत्म कर दूंगा। मेरा स्थगन प्रस्ताव इस प्रकार है

"The total failure of the Government to prevent the high office of the Attorney-General from being used in the writ petition challenging the validity of the amendment of the Representation of the People Act before the Allahabad High Court, which involves the Prime Minister and which is already related to the election petition now being argued in that court and gross impropriety committed by the Central Government in permitting this to happen."

यह कांस्टीट्यूशन की धारा 76 के ऊपर आधारित है। मैं आधे मिनट में खत्म करने वाला हूं। मुझे ज्यादा आर्गूमेंट देने की जरूरत नहीं है।

अध्यक्ष महोदय देखिए अगर इस में मुझे कोई शक हो, तो मैं सुन सकता हूं।

This is not a fit case for an adjournment motion.

श्री मधु लिमये : मैं आधे मिनट में साफ़ करता हूं।

मैं मानता हूं कि संसद के द्वारा किसी भी कानून के समर्थन में एटार्नी जनरल जा सकते हैं लेकिन यह रिट पेटीशन एलेक्शन पेटीशन से जुड़ी हुई है। इसलिए इस में एटार्नी जनरल का जाना, यह पक्षपातपूर्ण है, इन के पद का अपमान है और संसद का भी अपमान है.....(व्यवधान)

प्रेसीडेंट के द्वारा इन के काम विनियत किए गए हैं। उन में प्रधान मंत्री के चुनाव पेटीशन में जाना इन का काम नहीं है।.....(व्यवधान)

SHRI JYOTIRMOY BOSU (Diamond Harbour): Before the High Court he has criticised a judgment of the Supreme Court. He has talked of the judges..... (*Interruptions*)

MR. SPEAKER: I am not calling him. I have not given my consent to the adjournment motion.

SHRI SHYAMANANDAN MISHRA (Begusarai): Sir, I rise on a point of order.

MR. SPEAKER: Not on this.

SHRI SHYAMANANDAN MISHRA: When an amendment has been passed by this House, whether that amendment could be argued by the Attorney-General of India in a manner to give benefit to a particular individual is a pertinent point.

MR. SPEAKER: Legal points cannot come in an adjournment motion.

SHRI MADHU LIMAYE: This has come out of the writ petition.

MR. SPEAKER: No, I am not allowing it. Neither am I allowing any point of order on it.

SHRI SHYAMANANDAN MISHRA: The Attorney-General is paid out of the Consolidated Fund of India. How can he be allowed to do this?

MR. SPEAKER: The Attorney-General has so many functions. How can this come as an adjournment motion? I am very clear that this is not a matter for an adjournment motion. There is no question of an adjournment motion.

(*Interruptions*)

MR. SPEAKER: No question of my approving at all. I go by the rules.

(*Interruptions*)

MR. SPEAKER: I have not called you. I have not allowed anybody to speak on it. I have not allowed it.

(*Interruptions*)

MR. SPEAKER: I am very clear about it. It cannot come in the shape of an adjournment motion.

(*Interruptions*)

MR. SPEAKER: You cannot bring it through an adjournment motion. How can you bring in interpretation of an article or a question of legal opinion under an adjournment motion?

(*Interruptions*)

MR. SPEAKER: I have given my ruling on the adjournment motion, that it cannot come in the shape of an adjournment motion.

(*Interruptions*)

MR. SPEAKER: There is no question of my ruling on it. I am concerned with the motion, whether it can come in the form of an adjournment motion. I have said it is not an adjournment motion.

(*Interruptions*)

MR. SPEAKER: No, I am not prepared. I have seen everything.

श्री मधु लिमये अध्यक्ष महोदय, . . .

MR. SPEAKER: I am not allowing it.

(*Interruptions*)

SHRI JYOTIRMOY BOSU: I sent a notice of adjournment motion regarding five naxalite detenus in Howrah jail.....

(*Interruptions*)

MR. SPEAKER: Law and Order situation is a matter of the State subject; it is not a matter concerning this house.

12.12 hrs.

QUESTION OF PRIVILEGE RE: A LETTER ALLEGED TO HAVE BEEN WRITTEN BY EMPLOYEES OF HINDALCO TO THE PRESIDENT OF HINDALCO

श्री जनेश्वर मिश्र (इलाहाबाद) अध्यक्ष महोदय, मैं नियम 222 के तहत विशेषाधिकार भंग का सवाल उठाना चाहता हूं। मैंने शुक्रवार 2 मई को वित्त विधेयक पर बोलते हुए व्यापार और सरकार के बीच में हुए कई प्रकार के सम्बन्धों का जिक्र किया था तथा उससे उत्पन्न भ्रष्टाचार की स्थिति को लेकर उत्तर प्रदेश के हिन्डालको, मिर्जापुर के कर्मचारियों की चिट्ठी हिन्डालको के सबसे बड़े अधिकारी श्री कोठारी के नाम लिखी गई, पढ़कर सुनाया। जिस सिलसिले में वित्त मंत्री श्री सुब्रह्मण्यम ने बतौर स्पष्टीकरण प्रधानमंत्री का एक खत जो आप के नाम लिखा गया है, वित्त विधेयक का जवाब देते हुए, उसका हवाला दिया। प्रधानमंत्री जी और वित्त मंत्री जी ने यह कहा है कि जिस चिट्ठी का मैंने हवाला दिया है, वह जाली है। मैं समझता हूं कि यह आरोप मिथ्या है और जानबूझ कर मुझे बदनाम करने के लिये ऐसा किया गया है। प्रधान मंत्री जी ने अपने पत्र में राज्य सभा के सदस्य श्री राजनारायण का भी जिक्र किया है जिस में उन्होंने कहा है कि श्री राजनारायण ने भी इस सवाल को उठाया था, लेकिन चिट्ठी की फोटो कापी के बजाय जब उन से मूल कापी मांगी गयी तो उन्होंने पेश नहीं किया। मैंने श्री राजनारायण से सम्पर्क किया। उनका कहना है कि उनसे कभी प्रतिमूल मांगी नहीं गई। इस तरह से प्रधान मंत्री जी ने तथा वित्त मंत्री जी ने मिथ्या भाषण के द्वारा सदन को गुमराह किया है।

मेरे पास श्री राजनारायण जी का वह पत्र है जो उन्होंने आप के पास लिखा है। मैं उस पत्र को यहां पढ़ कर सुना देना चाहता हूं—

> "मुझे समाचार पत्रों में प्रधान मंत्री के एक नकली बनावटी पत्र के बारे में समाचार पढ़ने को मिला कि उन्हों ने हिण्डालको के सम्बन्ध में उस पत्र की मूलप्रति मांगी जिस पत्र में उनके पी० एस० को पांच लाख रुपया श्री टी० पी० भगत और बी० एन सक्सैना द्वारा दिया गया है। वह पत्र 7-11-67 का है। इस सम्बन्ध में राज्य सभा में हमने कहा था प्रधान मंत्री के सचिवालय ने या प्रधान मंत्री के किसी सचिव ने या प्रधान मंत्री के किसी अफसर ने उस पत्र की मूल प्रति न तो मुझ से कभी मांगी या न तो उस सम्बन्ध में कभी यह सूचना दी कि उन्होंने कब उसकी जांच करवायी कि यह पत्र जाली है।

मैं कानून शास्त्र का विद्यार्थी होने के नाते यह कहना चाहता हूं कि श्रीमती गांधी का कोई जांच करता जांच के सम्बन्ध में मुझ से अभी नहीं मिला। न तो किसी ने मुझ से पूछा कि यह पत्र आप को कब कहां और कैसे मिला। मैं बहुत ही दुःख के साथ यह कहना चाहता

[श्री जनेश्वर मिश्रा]

कि प्रधान मंत्री जी के अन्दर एक आदत विकसित हो गई है कि वह बराबर दो जीभ से बोलती हैं और जब अपने ही बयान में कहीं फंसती हैं तो वहां से सीधे हट जाती हैं।

मेरे पास अभी इन्दरा जी के सम्बन्ध में कई खतों की मूल प्रतियां हैं, जैसे एम० ओ० मथाई, श्रीमती धर्म तेजा जिसमें धर्म तेजा ने लिखा है कि केन्द्रीय सरकार ने जयंती शिपिंग कम्पनी के साथ श्रीमती गांधी के साथ जो ट्रांजैक्शन हुआ था वह काट दिया जाय..." (व्यवधान).....

यह मैं राजनारायण जी के पत्र को पढ़ रहा हूं.....(व्यवधान).....

अच्छा छोड़िये—मेरे पास, अध्यक्ष महोदय, उक्त पत्र जिसमें प्रधान मंत्री के सचिवालय द्वारा हिन्डालको से 5 लाख रुपया लेकर अधिक आन्दोलन नहीं होने देने का आश्वासन दिया गया, उसकी मूल प्रति, श्री कोठारी के नाम लिखी गई है, जो मैंने आप को कार्यालय में दिखाया था, राजनारायण जी भी वहां थे, जिसे मैं आप के सामने पेश कर सकता हूं।

मैं आप से निवेदन करूंगा —देश और सदन की गरिमा को देखते हुए, भ्रष्टाचार को रोकने के लिये तथा अगर सरकार का यह आरोप मेरे ऊपर सही है कि यह पत्र जाली है तो जालसाजी को रोकने के लिये—मेरा आरोप प्रधान मंत्री और सुब्रह्मण्यम पर भ्रष्टाचार का है और इन का आरोप मेरे ऊपर जालसाजी का है—इसलिये मेरे खिलाफ भी विशेषाधिकार भंग है—इन दोनों के खिलाफ विशेषाधिकार भंग का साफ कारण बनता है, इसलिये इस मामले को आप एक सम्बद्धीय संसदीय समिति के द्वारा जांच करायें या विशेषाधिकार समिति के द्वारा जांच करायें—यह मैं बहुत ही नम्रता के साथ निवेदन करता हूं।

इस समय जिस तरह से सुब्रह्मण्यम साहब ने कहा था कि मैंने जिस चिट्ठी का हवाला दिया था, उस चिट्ठी को नफरत की निगाह से, तुच्छ निगाह से देखना चाहिए, मैं नहीं चाहता कि श्रीमती इन्दिरा गांधी ने जो चिट्ठी आप को लिखी है उसके सम्बन्ध में ऐसी कड़ी भाषा बोलूं कि यह सदन उसको तुच्छ निगाह से देखे। मैं जानता हूं कि यहां पर इनका बहुमत है, जब भी कोई बात आती तो हल्ला मचा कर शेम-शेम कह देते हैं। लेकिन मैं चाहता हूं कि इसकी जांच कराई जाय। जिन्होंने दस्तखत किये हैं उनके सिगनेचर्ज को एटेस्ट कराया जाय और जिस तरह से सुब्रह्मण्यम साहब ने राज्य सभा की प्रोसीडिंग्ज का हवाला दिया है—मैं समझता हूं कि इस सदन का नियम है कि दूसरे हाउस में क्या हो रहा है, उसकी चर्चा न की जाय,—वहां पर जब राज्य सभा में चर्चा हुई तो वहां के चेयरमन के नाम कोई खत इन्होंने नहीं लिखा—क्यों नहीं लिखा? जब राजनारायण से यह सवाल उठाया था, तब श्रीमती इन्दिरा गांधी ने क्यों यह सवाल नहीं उठाया कि वह खत जाली है और राजनारायण ने ऐसा कोई ओरिजनल नहीं दिया? क्या वजह है कि ऐसा आप के पास ही लिखा?

सुब्रह्मण्यम साहब का कहना है कि इस बात का केवल पांच लाख रुपया— इतनी छोटी रकम— ? मैं कहना चाहता हूं कि सन 1967 में इन्दिरा जी का नेतृत्व इतना कम था कि इस से बड़ी कीमत नहीं दी जा सकती थी, अब उनकी कीमत बढ़ गई है। उस समय कौन उनके निजी सचिव थे इस की जांच होनी चाहिये।

श्री मधु लिमये : अध्यक्ष महोदय, मैंने भी नोटिस दिया है, अगर मंत्री महोदय इकट्ठा जवाब दें तो अच्छा है।

अध्यक्ष महोदय : आप पहले उनको सुन लें।

श्री मधु लिमये : वह बाद में जवाब दें। मैं आपका ज्यादा समय नहीं लूंगा।

अध्यक्ष महोदय : आप की तरफ से वे बोल चुके हैं।

श्री मधु लिमये : लेकिन मैंने बाकायदा नोटिस दिया है।

अध्यक्ष महोदय : जो नोटिस देते हैं, उनमें से एक को ही बुलाते हैं, जो पहला होता है।

श्री मधु लिमये : जो बात उन्होंने नहीं कही है, मैं वही कहूंगा।

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): You hear me first....

SHRI MADHU LIMAYE: You can give your reply later, after hearing me also.

अध्यक्ष महोदय, मैं ज्यादा समय नहीं लूंगा। इनमें कई सवाल उत्पन्न होते हैं जिनका जवाब मैं मंत्री जी से चाहूंगा।

(1) क्या मूल पत्र एक खत द्वारा राजनारायण जी के पास से मांगा गया था? उसका अगर सबूत इनके पास हो तो वह सदन के सामने रखें।

(2) क्या ओरिजिनल लेटर देने से राजनारायण जी ने इन्कार किया था? उसका भी अगर सबूत है तो दे दें। और जब ओरिजिनल लेटर राजनारायण जी ने आप को दिला दिया तो ऐसी हालत में क्या आगे कार्यवाही होनी चाहिये इसके ऊपर भी आप और सदन विचार करे। मेरी यह राय है कि यह जो ओरिजिनल लेटर राजनारायण जी ने आपको दे दिया . . .

अध्यक्ष महोदय : वह तो ले गये हैं साथ।

श्री मधु लिमये : मेरी उनसे बात हुई है, वह देने के लिये तैयार हैं। मैंने उनसे पूछा है। तो इसलिये मेरा कहना है कि यह मामला प्रिविलेज कमेटी के सामने जाय, इन के बयान के बाद, और यह ओरिजिनल लेटर सही है कि नहीं इसकी जांच प्रिविलेज कमेटी करे और एक्सपर्टस को बुलाया जाय, इस बारे में। और अगर जाली है तो यह सदन और आप माननीय कमलेश्वर मिश्र को सजा दें। राज्य सभा भी दे सकती है। लेकिन अगर यह साबित हो गया तो माननीय सुब्रह्मण्यम और प्रधान मंत्री, के

[श्री मधु लिमये]

खिलाफ सख्त से सख्त कार्यवाही हम लोगों को करनी चाहिये । इस मामले को हल्के ढंग से हम लोगों को खत्म नहीं करना चाहिये ।

Some hon. members *rose*—

MR. SPEAKER: I am not allowing any debate.

SHRI SHYAMANANDAN MISHRA: On a point of propriety.

MR. SPEAKER: Not at this stage. I am not giving my consent. The Minister.

SHRI C. SUBRAMANIAM: Mr. Speaker, Sir, this is the letter which the Prime Minister wrote to you. I am reading only the relevant portion:

"Some time ago a photostat copy of the letter which presumably Shri Mishra read in the House was brought to our notice by Shri Raj Narain, MP. I ordered an investigation into the matter which showed that the said photostat copy was a forgery and that no officer of the HINDALCO had ever written such a letter. The results of investigation were communicated to Shri Raj Narain by my Secretariat. When he insisted that the letter was genuine and wanted further probe into the matter, it was suggested to him that, for any further investigation, the original letter would be necessary which might be produced. My Secretariat did not get any reply from Shri Raj Narain."

Therefore, it is not correct to say that no request has been made to Shri Raj Narain to produce the original letter. Now, I am reading the English translation of the Hindi letter written to Shri Raj Narain....

SHRI MADHU LIMAYE: Let us have the original.

SHRI C. SUBRAMANIAM: The original is with Shri Raj Narain. I have got the copy. That is before the Rajya Sabha now. I am reading the English translation of it. This is dated 11th November, 1974.

"Dear Shri Raj Narain, ..

I have received your letter sent in reply to mine of 26th October. You want that the letter written to Shri Kothari on 7th November, 1967, should be probed into further.

As I mentioned in my earlier letter, the photostat sent by you has been investigated and that it does not appear to be genuine. For any further probe, the original will be required. If you could send the original, the question of further action can be considered.

Sd. B. N. Tandon,
Secretary to the Prime Minister."

श्री जनेश्वर मिश्र यह जाली चिट्ठी है, कैसे हम विश्वास करें ।

SHRI C. SUBRAMANIAM: It was sent on 11th November, 1974 and therefore, the allegation that Shri Raj Narain was asked to produce the original letter and therefore, the question does not arise, all this has been going on false premises. Here is a specific request to him, that, 'If you want any further probe, kindly produce the original.'... (*Interruptions*) There was no reply from Mr. Raj Narain to this letter and even now what the Prime Minister said is that the original letter will be necessary for any further probe.

श्री मधु लिमये : अध्यक्ष महोदय, जब प्रधान मंत्री के आफिस से पत्र आता है तो हम लोगों का हस्ताक्षर लिया जाता है, यह मैं जानता हूं । हमेशा बिना हस्ताक्षर के प्रधान मंत्री की चिट्ठी कभी हम लोगों को नहीं मिलती ।

श्री जनेश्वर मिश्र : इतना पुराना किस्सा है फिर प्रधान मंत्री ने चेयरमैन, राज्य सभा को क्यों नहीं लिखा ? आप को क्यों नहीं लिखा ?

SHRI C. SUBRAMANIAM: Therefore, there is absolutely no misrepresentation about any fact. The fact is that Shri Raj Narain was asked to produce the original letter if there has got to be any further probe, and no reply was received. I do not see how any privilege question arises out of this. Even now if they produce the letter, there can be a further probe.

SHRI MADHU LIMAYE: Why did you threaten to send Mr. Janeshwar Misra to the Privileges Committee? By all means send him.

SHRI SHYAMNANDAN MISHRA: What the hon. Minister has stated just now amounts to saying that a letter was indeed sent to Mr. Raj Narain and he was asked to produce the original. The point for consideration is whether any reliance can be put on the statement made by the hon. Minister....

SHRI B. K. DASCHOWDHURY (Cooch-Behar): Why not?

SHRI SHYAMNANDAN MISHRA: I am coming to that. If any letter is sent by any one of us also, the receipt of it is signed by the recipient or anybody on behalf of the recipient.....

SHRI S. M. BANERJEE (Kanpur): No, no.

श्री श्यामनन्दन मिश्र : आप जरा मेरी बात शान्ति से सुन लीजिये ।

अध्यक्ष महोदय : एक मिनट में कहिये ।

श्री श्यामनन्दन मिश्र : मम्बर बन कर आय हैं तो अपने कर्त्तव्य को पालने करने आये हैं । सारी बातों को सुनिये । वह बात क्या है ?

अध्यक्ष महोदय : समय आयेगा तब सुनेंगे । अभी तो आप ने पौइंट आफ़ आर्डर उठाया है वही कहिये ।

श्री श्यामनन्दन मिश्र : बेकार बात कर रहे हैं ?

अध्यक्ष महोदय : आप पौइंट आफ़ आर्डर पर आइये ।

श्री श्यामनन्दन मिश्र : हां आ रहा हूं ।

अध्यक्ष महोदय : आप जैनटिलमैन की तरह बात कीजिये । इस तरह फ़ाउन करेंगे इससे क्या फ़ायदा है । आप ने पौइंट आफ़ आर्डर उठाया है उस पर कहिये ।

श्री श्यामनन्दन मिश्र : यही गलत तरीके हैं जिन पर हम कुछ अपना रोष प्रकट करते हैं ।

The point is whether any reliance can be put on the statement made by him and why should not one assume that such a letter has been forged by the Prime Minister's Secretariat? If there is no proof of its receipt by the addressee, then the assumption could be that this is an after-thought and this has been a forged document from which the hon. Minister has read. So, the House has to take that into account.

Now, the point for consideration is—this is a point of propriety too—whether a letter written to you by the Prime Minister in reply to a pointed allegation made by an hon. Member should be read out in this House. That is a point of propriety because the Prime Minister could very well have taken the opportunity of making a statement on the floor

[श्री श्यामनन्दन मिश्र]

of the House contradicting the allegation made by the hon. Member. Instead, the Prime Minister sent a communication to you....

श्री मधु लिमये : कलिमस्तान के समय भी आपके आफिस को इंस्ट रूमेंट बनाया गया था, यह मैं जानता हूं ।

SHRI SHYAMNANDAN MISHRA: ....and the hon. Minister utilised that communication in replying to the point made by him.

Now, you would be confronted, Mr. Speaker, with a very peculiar situation.

MR. SPEAKER: I am always.
(*Interruptions*)

SHRI SHYAMNANDAN MISHRA: This is a matter of propriety. When we also begin replying to the points made by them through letters addressed to you and we also begin quoting from those letters, very peculiar situation could be created in the House. You have to give a serious thought to that aspect of the matter also

Now, Mr. Speaker, the Prime Minister has said in her communication to you that she ordered an investigation into the matter. The person who has been accused had ordered an investigation into the matter. Could anybody in his senses put any faith in that kind of investigation and could the House be asked to believe the results of that investigation? Of course, a person (accused) can very well set up an investigation to her own advantage.

Finally, can an hon. Member..... (*Interruptions*)

श्री रामावतार शास्त्री (पटना) : केवल एक आदमी को यहां बोलने के लिए बधौनी नहीं है । एक आदमी को ही बोलने दिया जाय, यह बात नहीं चलेगी ।

अध्यक्ष महोदय आप भी बोलो ।

श्री श्यामनन्दन मिश्र आप बाद में अपनी बात कहिए ।

श्री रामावतार शास्त्री : इन्होंने हाउस की मोमोडोलाइज कर लिया है । बन बाई बन सब को चान्स दीजिए ।

SHRI SHYAMNANDAN MISHRA: Can an hon. Member of this House, more so the Prime Minister refer to anything that happens in that House? Now the Prime Minister said and the Finance Minister also.....

MR. SPEAKER: This is about the statement.

SHRI SHYAMNANDAN MISHRA: She should have referred to the statement made by hon. Janeshwar Misra and not hon. Mr. Raj Narain. This is a very delicate matter that she is referring to. The Prime Minister says that presumably he was reading out from a letter which had been cited by Mr. Raj Narain. What business has the Prime Minister to assume that the hon. member was reading from the said letter which might have been a forged or not a forged letter? Now as the hon. Member said, reference should have been made to the hon. member of this House and not to an hon. member of the other House.

MR. SPEAKER: No debate.

SHRI JYOTIRMOY BOSU: Let Mr. Subramaniam satisfy this House that the letter just now read out was received by Raj Narain. Then we can proceed.

MR. SPEAKER: This is the letter which was addressed to me. This arose—while speaking on the Finance Bill on 2nd May, Janeshwar Misra alleged that Shri S. S. Kothari presented Rs. 5 lakhs to the private Secretary.

This arose out of the statement of a Member of this House and this too while he was speaking on the Finance Bill which Bill the Finance Minister was piloting.

(*Interruptions*)

MR. SPEAKER: Please do not do like that Mr. Misra. (*Interruptions*)

This comes to me and I give the direction. It is much more than what he writes to me. He makes a statement in the House itself. What is wrong about it?

SHRI SHYAMNANDAN MISHRA No A statement in the House.

MR. SPEAKER: The Minister, instead of writing to me, makes a statement in the House. There is no question of propriety or impropriety and then Mr. Raj Narain comes to me about two or three minutes before I am about to come here. As you know, he was accompanied by our own Member. He showed me something. There was some file also along with the letter in question. I told him, please keep it with you; otherwise, if you give it to me today and tomorrow you say 'It is not the same letter' what will happen? I am not prepared to take the risk. So, I gave that back to both of you, to preserve. If you say later, this letter is not that one which was read out, then, nobody is prepared to spare me also!

श्री एस० एम० बनर्जी : अध्यक्ष महोदय, मेरा प्वाइंट आफ आर्डर है । जितना टाइम मिश्रा जी ने लिया है मैं उसका एक-चौथाई ही लूंगा । मेरा प्वाइंट आफ आर्डर केवल इतना है कि यह जो प्रिविलेज मोशन 222 में देख किया गया है और इसके लिए आप को नोटिस दिया गया है ।

MR. SPEAKER: Only point of order. I am not allowing any debate.

श्री एस० एम० बनर्जी : मेरी बात सुन लीजिए । प्वाइन्ट आफ आर्डर रेडी-मेड थोड़े ही होता है ।

MR. SPEAKER: Only point of order. I am allowing you because you wanted to raise a point of order.

श्री एस० एम० बनर्जी : मेरी प्वाइंट आफ आर्डर यह है कि आप के सामने एक नोटिस दिया गया और उसमें आरोप सिर्फ यह है कि उन्होंने जो चिट्ठी पढ़ी है उसमें यह कहा गया है कि जो लैटर की फोटोस्टेट कापी दी है, वह गलत है और इन्होंने कहा है कि राज नारायण जी ने उसका ओरीजिनलदि खाया आपको.. (व्यवधान). दो मिनट पहले ही दिखाया, उसको वे देने के लिये तैयार हैं । मेरा कहना यह है कि दो मिनट के लिए यह भूल जाएं कि यह प्रिविलेज मोशन है या नहीं, लेकिन मैं आप से यह निवेदन करना चाहता हूं कि इस तरीके से जो आरोप और प्रत्यारोप लगाए जाते हैं, उसके बारे में दो मिसालें इसी सदन की हैं । मैं आप के सामने एक मिसाल रखना चाहता हूं कि मनी राम बागड़ी जी ने यहां पर प्रोफेसर हमायूं कबीर के ऊपर आरोप लगाए थे और उनकी जांच की गई ।

एक माननीय सदस्य : श्री प्रकाश वीर शास्त्री जी ने की ।

श्री एस० एम० बनर्जी : प्रकाश वीर शास्त्री जी ने भी । तो मनी राम बागडी जी ने जब आरोप लगाए थे, उस समय सदन के अध्यक्ष श्री हुकम सिंह जी थे । उस समय यह अपील की गई थी कि इस तरह के जो आरोप लगाए जाते हैं एक दूसरे के ऊपर उससे सदन की मर्यादा नहीं रहती है । अब 5 लाख रुपया प्राइवेट सेक्रेटरी ने लिया है या नहीं, इसके बारे में तो अभी कुछ नहीं कहा जा सकता लेकिन मैं यह चाहता हूं कि इसकी इक्वायरी हो । यह जो इक्वायरी हो, यह सदन की समिति बना कर आप कराएं या फिर आप इसकी इंक्वायरी करें और मैं यह नहीं चाहता कि प्राइम मिनिस्टर के ऊपर इस तरह के आरोप लगें । अगर आरोप जो लगाए गये हैं, वे सही हैं, तो मैं समझता हूं कि प्राइवेट सेक्रेटरी को कान पकड कर निकाल देना चाहिए ।

MR. SPEAKER: Mr. Banerjee, this letter is of 1967—that is, 8 years before.

उस वक्त की बात कहिये ।

श्री जगेश्वर मिश्र उस समय का प्राइवेट सेक्रेटरी दो अब मेम्बर बन गया है ।

श्री एस० एम० बनर्जी : प्राइवेट सेक्रेटरी मंत्री भी बन सकता है और प्राइवेट सेक्रेटरी कोई मामूली आदमी नहीं है । प्राईवेट सैक्रेटरी का मंत्री से ज्यादा पद रहता है । इसलिये मैं आप से इस पर रूलिंग चाहता हूं । अध्यक्ष : आप प्रिविलेज मोशन नहीं कर सकते हैं, तो मैं इसको जोड़ कर आप से निवेदन करता हूं कि इस सदन की प्रतिष्ठा का आप बचाइए और अगर श्री जगेश्वर मिश्र ने गलत बातें कही हैं और गलत कागज दिये हैं तो फौरन जरी का इन के ऊपर मुकदमा चलना चाहिए और इनको डाक में खड़े होने चाहिए और आप को सजा देनी चाहिए ताकि ये ब्लैकमेल न करें । लेकिन दोनों चीजों को आप को इन्साफ की तराजू में तोलना चाहिये और तोलने के बाद आप इस पर भले ही आज निर्णय न ले, आप बाद में निर्णय लीजिए । दोनों चीजें बहुत ज्यादा जटिल है और कम से कम देश के सामने सही बात आनी चाहिए ।

MR SPEAKER: अब इसके बारे में मैं देखूंगा । फिर करेंगे इसके बारे में बात ।

Let me consider it later on. Now, Papers laid on the Table.

12.40 hrs.

PAPERS LAID ON THE TABLE

AMENDMENTS TO AGREEMENT BETWEEN GOVT OF INDIA AND ONGC

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): I beg to lay on the Table a copy each of the following amendments (Hindi and English versions) to the Agreement dated the 17th December, 1966 between the Government of India and Oil and Natural Gas Commission under section 42 of the Income-tax Act, 1961:—

(1) Amendment dated the 16th March, 1974.

(2) Amendment dated the 2nd January, 1975.

[*Placed in library. See No. LT-9623/75*]

REVIEWS AND ANNUAL REPORTS AND A STATEMENT RE. CORRECTION OF ANSWER

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): I beg to lay on the Table—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(a) (i) Review by the Government on the working of the Madras Refineries Limited, Manali, Madras, for the year 1973-74

(ii) Annual Report of the Madras Refineries Limited, Manali, Madras, for the year 1973-74 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

[*Placed in library See No LT-9624/75*]

(b) (i) Review by the Government on the working of the Fertilizer Corporation of India Limited, New Delhi, for the year 1973-74.

(ii) Annual Report of the Fertilizer Corporation of India Limited, New Delhi, for the year 1973-74 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[*Placed in library See No LT-9625/75*]

(c) (i) Review by the Government on the working of the Indian Oil Corporation Limited, Bombay, for the year 1973-74.

(ii) Annual Report of the Indian Oil Corporation Ltd., Bombay, for the year 1973-74 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[*Placed in library. See No. LT-9626/75*]

(2) A statement correcting the reply given on the 3rd December, 1974 to Unstarred Question No. 2919 by Sarvashri Khemchandbhai Chavda and Satyendra Narain Sinha regarding manufacture of bulk drugs by foreign firms and giving reasons for the delay in correcting the reply.

[*Placed in library. See No. LT-9627/75*]

RLYS. RED TARIFF (3RD AMDT.) RULES, 1975 AND A REPORT RE. RESERVATION OF VACANCIES FOR SC & ST IN RAILWAYS

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): Sir, on behalf of Shri Buta Singh, I beg to lay on the table—

(1) A copy of the Railways Red Tariff (Third Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 506 in Gazette of India dated the 19th April, 1975, issued under section 47 of the Indian Railways Act, 1890

[*Placed in library See No. LT-9628/75*]

(2) A copy of the Report (Hindi and English versions) on the progress made in the intake of Scheduled Castes and Scheduled Tribes against vacancies reserved for them in recruitment and promotion categories on the Railways for the half year ending the 30th September, 1974.

[*Placed in library See No. LT-9629/75*]

MR. SPEAKER: Now, the hon Home Minister.

12.41 hrs.

STATEMENT RE. INCIDENT AT ALLAHABAD ON MARCH 18, 1975

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): Mr. Speaker, Sir,...

SHRI JYOTIRMOY BOSU (Diamond Harbour): Let the Minister make a statement. I want to raise a matter of procedure.

MR. SPEAKER: If there is any procedure, let me know it earlier.

SHRI JYOTIRMOY BOSU: Sir, the statement that Mr. Reddy is making on has been a much controversial matter and we have tried to raise the matter in different forms on the floor of the House...

MR. SPEAKER: It was not so when you raised it. When he makes a statement it becomes much controversial.

SHRI JYOTIRMOY BOSU: Because I have got enough evidence before me that Shri Govind Misra was given a pass by Government and the Police Officer had said .. (*Interruptions*).

MR. SPEAKER: There is no question of procedure.

SHRI JYOTIRMOY BOSU: Sir, I come back to the issue. How is it that *suo motu* a statement is made by Government and, according to rules, you are very right, in asking us not to make a statement or to put questions. (*Interruptions*) Kindly tell us one thing. We must be able to put questions to him because he has made a very serious statement saying that pistal was planted by the police. Even the Police Officer has said.....

MR. SPEAKER: I did not ask you to make a statement. The statement is to be made by him and not by you...You raised on a point of procedure and then you start making a speech. No, no.

Mr. Reddy.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): Sir, on the basis of the information available at that time, I made a statement in the House on March 18, 1975, regarding the arrest on that date of Shri Govind Mishra, a local journalist, printer and publisher in Allahabad. Information received since then from the Government of Uttar Pradesh shows that Shri Mishra was arrested on March 18, 1975, on being found in possession of a .12 bore single barrel loaded counntry made pistol with two extra cartridges while trying to gain entry beyond the check point of security barrier in the corridor leading to court room No. 24 of the High Court where the Prime Minister was to give her evidence. A case under section 25 of the Arms Act has been registered by the police against Shri Mishra and is under investigation by the State C.I.D.

Enquiries made so far by the U.P. Government show that neither Shri Mishra nor his paper had any political affiliation.

The Government have seen the issue of the newspaper 'Shri Vijai' dated 16th April, 1975 in which an open letter addressed to the Prime Minister by Shri Govind Mishra was published. According to information received from the State Government the name of Shri Govind Mishra was not among the journalists cleared for the issue of a pass to enter Court room No. 24. The statement of Shri Mishra in the open letter, referred to above, that he was waiting outside when a police officer took his portfolio away from him is also incorrect. On the corridor leading to court room No. 24 Shri Govind Mishra is reported to have crossed the point where one got checked by a metal detector. The metal detector gave signal. The police officers on duty there caught him and made him repeat his movement before the metal detector. When the detector again gave the signal, they searched him and recovered on the spot a country-made loaded .12 bore pistol with two spare cartridges from his portfolio. This

happened in the presence of witnesses and a recovery memo was also prepared then. It was after this recovery that he was taken to the police Station.

MR. SPEAKER: Have you finished with your statement Mr. Reddy?

SHRI JYOTIRMOY BOSU: We are not going to take the cock and bull story. The pistol is less than one-eighth of an inch. (*Interruptions*)

MR. SPEAKER: Mr. Bosu, your knowledge about the pistol is outdated.

(*Interruptions*)

MR. SPEAKER: When the case is sub-judice....

SHRI JYOTIRMOY BOSU: Sir, on a point of clarification.

MR. SPEAKER: No. I am on my legs. The rules should be amended that when Shri Jyotirmoy Bosu stands, the Speaker should sit down. What is this?

Have you completed your statement?

SHRI K. BRAHMANANDA REDDY: Yes, Sir.

MR. SPEAKER: This point was raised and the Minister was asked to make it clear. I had this view also that when the case is sub-judice, the person concerned comes out with an open statement, something that is unheard of. Then, again, it is raised on that basis. The case is pending and this statement comes. How long will it continue? After all, we should follow some practice. When the case is under trial, we should not express any views about the facts and all that. So, if something is raised now and he again makes a statement, what is the sanctity of the law of sub-judice?

SHRI MADHU LIMAYE (Banka): Sir, I am on a point of order.

MR. SPEAKER: No questions after the Minister's statement. I am not allowing anything on it.

No questions after the Minister's statement. I am going strictly by the rules.

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, I am rising on a point of order.

MR. SPEAKER: No point of order.

SHRI SHYAMNANDAN MISHRA: Arising out of this, on a point of procedure, before you pass on to another item. The point is that, you have been pleased to say that since the statement has been made by the hon. Minister, according to rules, no questions can be put. Now, it is for your consideration, when a statement is made in response to the points raised by hon. Members, whether that statement would be considered to be a protected statement. This is the main point to consider. This is not a statement *suo moto*. Then, Sir....

MR. SPEAKER: I really admire your fertile brain. But, I go by simple procedure.

SHRI SHYAMNANDAN MISHRA: This statement is being made in order to clarify and elucidate certain points that had been made by hon. Members. If this clarification is not yet coming, what is the duty of the House?

MR SPEAKER: There is no such term as 'protected' and 'unprotected'. There is a clear rule about it. You do not say that this is 'protected' and 'unprotected'.

SHRI SHYAMNANDAN MISHRA: This is not for all statements.

MR. SPEAKER: For all statements.

SHRI SHYAMNANDAN MISHRA: Then, Sir, you have also been pleased to say that since the matter is sub-judice, there should not be any discussion on it.

MR. SPEAKER I gave the history of it You raise and he replies Where is the sanctity left?

SHRI SHYAMNANDAN MISHRA That is the point with which I want to deal The question is that the police had said in clear terms

MR SPEAKER No questions I am not allowing

I am really surprised When I say you cannot raise it you say 'firstly secondly, thirdly What is this?

SHRI SOMNATH CHATTERJI (Burdwan) On a point of propriety also

SHRI SHYAMNANDAN MISHRA The point is that it should not be entirely within the discretion and prerogative of the Speaker

MR SPEAKER I go by the rule There is no question of my discretion in this matter The rule is very clear

SHRI SHYAMNANDAN MISHRA We have come here to discharge certain duties without fear or favour

MR SPEAKER I am discharging my duties under the rules Change the rules

SHRI SHYAMNANDAN MISHRA I am trying to discharge those duties The Chair must do justice to the points raised by us The Chair must not do otherwise

MR SPEAKER The Chair must go by the rules

SHRI SHYAMNANDAN MISHRA If you prevent us from doing our duty you are cut out for a different role which role I do not want to describe You seem to be getting away by making some gesticulations

MR SPEAKER Not at all

SHRI SHYAMNANDAN MISHRA It is not in keeping with the dignity of the Chair.

MR SPEAKER: If you are so sensitive a person .

SHRI SHYAMNANDAN MISHRA Is this the way the Chair should talk Firstly Sir', 'Secondly Sir', 'Thirdly Sir ?

MR SPEAKER. Do not talk like that

SHRI SHYAMNANDAN MISHRA We would have to do it a hundred times

MR SPEAKER You do not understand You try to blow-beat the Chair which I refuse to accept

SHRI SHYAMNANDAN MISHRA You have been pleased to say 'go on' and then you go on speaking all the time

MR SPEAKER I will have to speak so long as you do not listen to the rules

SHRI SHYAMNANDAN MISHRA You go on harracking members all the time

MR SPEAKER Be careful about your language I must say you must be moderate in your language

SHRI SHYAMNANDAN MISHRA It is my duty to do it

MR SPEAKER Do not try to talk in this fashion

SHRI SHYAMNANDAN MISHRA The House wanted to know how this person could go to the metal detector after having crossed two barriers.

MR SPEAKER You read the rules and let me know if I can allow it.

SHRI SHYAMNANDAN MISHRA How could this follow cross two barriers earlier?

MR SPEAKER· Whatever be your views, we have to go by the rules May I bring it to the notice of the House that the rule is very clear?

After the Minister makes a statement, no questions can be asked. It is not the Speaker's discretion. I go by the rules

श्री मधु लिमये अध्यक्ष महोदय, आपने कहा कि मामला अदालत के सामने है । मैं यह जानना चाहता हूं कि जब मामला अदालत के सामने था तो यहां पर प्रस्ताव क्यों पास किया गया ? प्रस्ताव को आप उस वक्त तो एक्सपंज कर दिया जाये ।

MR SPEAKER I am not allowing anything

SHRI SOMNATH CHATTERJEE I am drawing your attention to one sentence in this statement You were pleased to observe that as the rules are, on sub-judice matters no discussion is allowed. This gentleman, Mr Govind Mishra, made certain publications in his own newspaper

MR. SPEAKER. To which the Minister has replied now

SHRI SOMNATH CHATTERJEE . indicating, apparently the defence he is going to take in the pending criminal proceedings. The hon. Minister has made a comment on his defence. He says that the statement of Shri Mishra is also incorrect He could have said that a statement was made by Mr. Mishra. But the Home Minister should not pass judgment on that. That is bound to affect the proceedings in the court in the matter Therefore, without passing any comment, he could have said it.

MR. SPEAKER: I would not prevent any question if the rules allow it

SHRI SOMNATH CHATTERJEE: I am not putting a question. This part of the statement of the Home Minister saying that that part of his defence is incorrect should be deleted.

(Interruptions)

MR SPEAKER: I am not calling anybody

(Interruptions)

MR SPEAKER: Shri Daga—I am calling Shri Daga. He is not listening to me.

SHRI SHYAMNANDAN MISHRA: What about the motion which we passed 1½ months ago? That is prejudicial to the course of justice? Would you be prepared to expunge that motion?

MR SPEAKER Which motion?

SHRI SHYAMNANDAN MISHRA: The motion which we had passed 1½ months back

MR SPEAKER The Minister has already made a statement. Now, I am going to the next item.

श्री मधु लिमये अध्यक्ष महोदय, उसे एक्सपंज किया जाये । यह एक प्रीसीडैंस बन जायेगा और फिर शकधर साहब उसे अपनी किताब में लिखेंगे ।

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12 56 hrs

CODE OF CIVIL PROCEDURE (AMENDMENT) BILL

APPOINTMENT OF A MEMBER TO THE JOINT COMMITTEE

SHRI M. C. DAGA (Pali): On behalf of Shri L. D. Kotoki, I beg to move·

"That this House do recommend to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha

**Not recorded.

[Shri M. C. Daga]

to the Joint Committee on the Bill further to amend the Code of Civil Procedure, 1908, and the Limitation Act, 1963 in the vacancy caused by the death of Shri Nawal Kishore and do communicate to this House the name of the member so appointed by Rajya Sabha to the Joint Committee."

MR. SPEAKER: The question is:

"That this House do recommend to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha to the Joint Committee on the Bill further to amend the Code of Civil Procedure, 1908, and the Limitation Act, 1963 in the vacancy caused by the death of Shri Nawal Kishore and do communicate to this House the name of the member so appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

12.57 hrs.

RULES COMMITTEE

SIXTH REPORT

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I beg to move·

"That this House do agree with the Sixth Report of the Rules Committee laid on the Table on the 2nd May, 1975."

MR. SPEAKER: This question is:

"That this House do agree with the Sixth Report of the Rules Committee laid on the Table on the 2nd May, 1975."

The motion was adopted.

12.57-1/2 hrs.

MATTER UNDER RULE 377

REPORTED DISSATISFACTION AMONGST UNIVERSITY AND COLLEGE TEACHERS OF MADHYA PRADESH

डा० लक्ष्मी नारायण पांडेय (मंदसौर) : यूनिवर्सिटी ग्रान्ट्स कमीशन की रिपोर्ट के आधार पर अनेक राज्यों ने, जिनमें महाराष्ट्र और हरयाणा भी सम्मिलित हैं, विश्वविद्यालयों और महाविद्यालयो के शिक्षकों के नये वेतन-मानों को लागू कर दिया है तथा अन्यान्य मांगों को भी स्वीकार कर लिया है । गुजरात राज्य ने उन सिफारिशों का नीतिसिद्धान्ततः स्वीकार किया है लेकिन अभी तक उनको अमल में नहीं लाये है । किन्तु मध्य प्रदेश द्वारा यू० जी० सी० के वेतनमानों को स्वीकार करने में असमर्थता प्रकट करने से मध्यप्रदेश में स्थिति भयंकरतम होती जा रही है । वहा पर शिक्षकों ने हड़ताल कर दी है और परीक्षाओं का बहिष्कार कर दिया है, परीक्षाएं अनिश्चित काल के लिए बढ़ा दी है जिसके कारण विश्वविद्यालयों और महाविद्यालयों में पढ़ने वाले विद्यार्थियों का भविष्य अन्धकारमय होने जा रहा है । प्रदेश सरकार द्वारा उक्त शिक्षकों के साथ जिस प्रकार का व्यवहार किया जा रहा है वह अत्यन्त खेदजनक है । व्याप्त गतिरोध से इंजीनियरिंग और मैडिकल में जाने वाले विद्यार्थी, नीचे की परीक्षाएं न होने के कारण आगे जाने में असमर्थ रहेंगे । मामला अत्यधिक गंभीर है अतः केन्द्रीय सरकार इस मामले में हस्तक्षेप करे । विश्वविद्यालयों के शिक्षकों ने भी इस बारे में केन्द्रीय सरकार से हस्तक्षेप करने का अनुरोध किया है तथा समस्या के समाधान के लिए आग्रह किया है । इसलिये केन्द्रीय सरकार इस मामले

मे हस्तक्षेप कर के इस समस्या का तुरन्त समाधान करे, वरना स्थिति और भी भयकर हो सकती है ।

मैं आशा करता हू कि शिक्षा मत्री महोदय श्री नुरुल हसन इस बारे मे वक्तव्य देने की कृपा करेगे । साथ ही मे चाहता हू कि यूनिवर्सिटी ग्रान्ट्स कमीशन ने जो सिफारिशे की है वे सभी राज्यो मे समान रूप से लागू हो । मध्य प्रदेश राज्य इस बारे मे जो असमानता बरत रहा है उसको दूर करना चाहिये ताकि शिक्षको मे फैला हुआ असतोष दूर हो सके तथा विद्यार्थियो के भविष्य पर भी विपरीत असर न पडे ।

THE MINISTER OF FINANCE (Shri C Subramaniam) I beg to move

(*Interruptions*)

MR SPEAKER It is impossible for this House to continue It is very difficult to carry on the business

(*Interruptions*)

13.00 hrs

MR SPEAKER This will not go on record

आज लच आवर रखा हुआ है । क्या आप लच आवर चाहते हैं ? अब हम लोग इतनी देर तक बिना लच आवर के काम करते रहे हैं, तो अब तीन चार दिन के लिए लच आवर रख कर क्या करना है ?

We have a short time I think we can continue to sit during lunch hour also. I put it to you that we continue to sit.

SHRI P. G. MAVALANKAR (Ahmedabad) We want lunch hour. This is the last week For the whole of the budget session, we have not had any proper lunch

डा० लक्ष्मीनारायण पांडेय (मदसौर) अध्यक्ष महोदय, यह तय किया गया था कि 5 मई तक—जब तक फिनांस बिल पास न हो जाये, तब तक—लच आवर नही होगा ।

अध्यक्ष महोदय : अगर हम इन चार दिनो मे लच आवर न रखे, तो हाउस को तीन चार घटे और मिल जायेंगे ।

क्या आप को लच आवर चाहिए या नही ?

कुछ माननीय सदस्य : नही ।

अध्यक्ष महोदय : तो फिर लच आवर नही होगा ।

श्री रामावतार शास्त्री (पटना) अध्यक्ष महोदय, क्या लच आवर नही होगा ?

SHRI P G MAVALANKAR We want lunch hour and lunch, both

MR SPEAKER I have seen the position We are in a very tight position That is why I put it to you that we continue as before We will have the lunch hour on the last day

13.02 hrs.

COMPANIES (TEMPORARY RESTRICTIONS ON DIVIDENDS) AMENDMENT BILL

THE MINISTER OF FINANCE (SHRI C SUBRAMANIAM) I beg to move *

"That the Bill to amend the Companies (Temporary Restrictions on Dividends) Act, 1974 be taken into consideration."

*Moved with the recommendation of the President.

[Shri C. Subramaniam]

Hon. Members are aware that the restrictions on the distribution of profits by way of dividents were imposed as a part of the package of anti-inflationary measures during last year and accordingly the Companies (Temporary Restrictions on Dividends) Act, 1974 was enacted by this House These measures helped to arrest further rise in prices and, to some extent, the prices have come down. However, the restraint on distribution of profits by way of dividends affected the capital market and particularly new issues adversely. The prices of shares on the stock Exchanges went down by over 25 per cent since 6th July, 1974 when the Ordinance restricting the distribution of net profits after tax by way of dividend was promulgated. This has caused uncertainty in the minds of underwriters and they are reluctant to underwrite the new issues.

A robust share market is essential for the success of new issues in the capital market as it helps to build the investor's confidence. At a time when an acute scarcity of resources for productive investment is being felt, it would not be appropriate to allow a diminution in resources available from the capital market. I am keen to improve the investment climate and accordingly in my Budget Speech I had promised to come before the House with a suitable amendment to the Companies (Temporary Restrictions on Dividends) Act, 1974 which will enable the companies to declare dividends in excess of the distribution profits. Hon. Members would recall that the Companies (Temporary Restrictions on Dividends) Act, 1974 prohibits the declaration and payment of dividends in excess of the distributable profits stipulated in the Act, namely:—

(a) 33-1/3 per cent of the net profits after tax: or

(b) An amount required to pay 12 percent dividend on the face value of the equity share of the company and dividend payable on its Preference Shares; whichever is lower

The present amendment will enable the companies to declare dividends cut of the net profits after tax for the financial year in excess of the prescribed limits. The payment of dividend will, however, continue to be restricted to the extent of distributable profits as stipulated in the said Act. The difference between the dividends declared and dividend payable, namely, the "deferred dividend" will be payable in two equal annual instalments, on the expiry of the present Act in July, 1976.

Sir, the Bill provides that the deferred dividend will be without interest but I am moving an amendment that interest @ 8 per cent per annum be paid on the deferred dividend.

A provision has also been made in the Bill that income tax due on the deferred dividend shall be payable by the investor within 35 days from the date on which such instalment is paid or when the dividend warrant in respect of such instalment is transferred to any other person, whichever is earlier. No interest shall be chargeable under the Income Tax Act in respect of tax payable on deferred dividends for that period. This will remove hardship to the investors in the payment of tax on the deferred dividend.

The Amendment Bill when enacted shall be effective from 1st March, 1975.

Sir, I move.

MR. SPEAKER: Motion moved:

"That the Bill to amend the Companies (Temporary Restrictions on Dividends) Act, 1974 be taken into consideration."

Now, I have seen the earlier motion of Shri K. Raghu Ramaiah. It says: "With effect from March, the 10th till the passing of the Finance Bill, 1975, the House might continue to sit during lunch hour." So, that motion is lapsed. Now, we must have a fresh consensus of the House if we have to continue to sit during lunch hour. Otherwise, willy nilly, we go for lunch

SHRI P. G. MAVALANKAR (Ahmedabad): Let us go for lunch.

MR. SPEAKER: Let me be finally sure of the position. Should we ignore the previous motion that there will be no lunch hour during the rest days of the session?

SOME HON. MEMBERS: Yes

MR. SPEAKER: Today, you seem to be impatient for lunch. I agree for that. Now, we adjourn for lunch to re-assemble at 14.00 hours.

13.08 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at Four Minutes past Fourteen of the Clock

[Mr Deputy-Speaker *in the Chair*]

COMPANIES (TEMPORARY RESTRICTIONS ON DIVIDENDS) AMENDMENT BILL—*contd*

MR DEPUTY-SPEAKER: Before we resume discussion, I would like to say that I have got notice of an amendment from the Minister of Finance just a little while ago. Since it is a Government amendment, one has to give it a special consideration. But in all fairness to members I would say those who want to send their amendments may do so within the next 15 minutes, and I shall accept them.

SHRI S. M. BANERJEE (Kanpur): If there is an amendment by the Minister, I want to move an amendment to that amendment.

MR. DEPUTY-SPEAKER: That is a different question. I am talking of the Bill.

SHRI S. M BANERJEE: You are now giving a chance to us to move amendments to the Bill. But, suppose I want to move an amendment to the amendment?

MR. DEPUTY-SPEAKER: We are not talking of an amendment to an amendment within the next 15 minutes, but since these amendments have not been circulated, at the time of moving they will be read out, and if possible a few copies may be made and kept on the Table and Members who are keen may have a copy.

SHRI SOMNATH CHATTERJEE (Burdwan): Kindly give me a little time after I finish. I cannot also speak and give an amendment. I have not got a Secretariat.

This Bill which has been brought to amend the Companies (Temporary Restrictions on Dividends) Act, 1974, so soon after that Act was passed by this Parliament clearly shows that this Government is going to act and decide its economic policies on the basis of the reactions of the stock exchange which is the ruling force in this country, and it is a glaring example of abject surrender by the pro-capitalist Government to its mentors and its financiers, and with the Gujarat elections so near and the general elections round the corner, it is what I call a lollypop which is being given to the monopoly and big business houses obviously for a *quid pro quo* which is replenishment of their election fund.

The House would recall that on the 6th July, 1974, when Parliament was going to sit only 16 days later, this Government could not hold its patience to give an impression to the country at large that they were so much concerned about the inflationary tendencies created in this country by the bankrupt economic policies of their own and they passed a number of Ordinances described to be a package of measures to contain inflation in this country. Now one of the main props, we were told, of that anti-inflationary measure was the Ordinance restricting the declaration at dividends.

This measure was for putting a total embargo not only on the distribution of dividends over a certain

[Shri Som Nath Chatterji]

rate, but even on the declaration of dividends because it is known that once a dividend is declared, the liability of the Company immediately accrues.

Introducing the Bill which was to replace the Ordinance regarding restriction on dividends this is what the then Finance Minister—of course he has been thrown out and his policies have been given the go-by now—said in the Lok Sabha:

"The distribution of dividends by over 1200 medium and large public companies which made profits in 1970-71 and 1971-72 amounted to about 44 to 45 per cent of their profits after tax. In many companies the dividend declared constituted more than 80 per cent of their profits after tax. Similarly, about 200 companies had declared dividends on their equity at 15 per cent or more. Having regard to the fact that a equitable package of anti-inflationary measures must include steps designed to curb consumption out of profits as well as other sources of income, it was considered necessary to fix a celling on the distribution of dividends. This will curb current consumption out of profits, reduce the reliance of the corporate sector on bank credit and thereby check expansion of money supply. The funds so saved by the companies will be available to them for productive use in financing capital goods, expansion and diversification requirements and at the same time it may also help to reduce the draft on the resources of the banking system. The total savings envisaged by limiting distribution of dividends are estimated at Rs. 60 to Rs. 70 crores per annum, and to that extent it will minimise the pressure on the resources of financial institutions."

—This is very significant—

"There must be no real cause for worry for genuine investors in corporate scrips as in the long run this Ordinance should help the companies to improve their viability."

All the statements of policy by the then Finance Minister have been thrown to the wind, so far as Finance Ministry is concerned. I had the privilege of taking part in that debate when the Bill was being considered, and I find that I was absolutely righ when I said that that was a measure to create a deception that so far as this Government is concerned, it was not only against the poor people whose wages and dearness allowance were being impounded, but this Government was supposedly also taking some steps to curb money reaching the hands of the rich people.

Now, I am quoting to you from page 1091 of the "Economic and Political Weekly," July 13, 1974. It says:

"The government apparently felt that it would not be able to sell this obnoxious Ordinance, which amounts to a partial wage freeze, to government employees as well as the organised working class in the public and private sectors without taking some measures seemingly directed against the richer sections."

It means they tried to show that they were not making any difference between the rich and the poor in bringing that Bill. Now, what is the position. Now the facade which was then put up to cover the real intention of this Government at that time has now been ripped open by themselves, because they have to surrender to the stock exchange manipulators. What is the position then? This Ruling Party is now completely exposed in their true colour so far as their complete subservience to these manipulators is concerned. In that debate, we had expressed various apprehensions. Mr. Chavan replied to the debate in August, and I submit that it is very pertinent to try to recall what the Finance Minister and the Government of India said on the Floor of this House only a few months back (8-9 months back) while piloting that Bill.

I am again reading out to you from page 267. This is from Lok Sabha Debates (Eleventh Session) Tuesday, August 20, 1974. This is in reply to the debate. He said:

"A question was asked why the money saved by this measure is not kept under the control of the Government. If you accept the position that money is going to be saved or put out of circulation, by this measure then you will come along with me. My main point is that money saved will be, not at the disposal of consumption but at the disposal of production. By creating a special fund of it, I would have been required to give them additional interest on that. I do not want to do that. This money is being kept at the companies level.

Whether they will be using the money, as Mr. Mavalankar made a point, a very interesting point that with Rs. 80 or 70 crores they are not going to make any modernisation or any replacement or any diversification, if they are the type of people whom he knows, I do not know. Suppose Rs. 1 crore is at the disposal of a company. If they do not make use of it, do you think they are unwiser? They will certainly make use of it. If they do not make use of the position that they will not go to banks to get money. At least, this much we can do. To that extent, there will be lesser pressure on the banking system."

Sir, I do not say that Mr. Chavan did not sincerely believe at that time what he said to the House. Now even the policy which the Government had followed and had put forward before these House by the then Finance Minister has been completely thrown to the wind.

Now, the total embargo is gone. What is the difference? What is the main purpose of this Amendment Bill? Under the present Act, there is a complete embargo not only on distribution but on declaration, except out of distributable profit of a particular financial year. Now that restriction is going. They can now declare dividend at a higher rate than what has been prescribed there and with retrospective effect from 1st April, 1975.

Now, once dividend is declared, it becomes a debt due by the company. As soon as the two-years period is over, the money will have to be paid to the share-holders. Who are the real beneficiaries of this? 74 per cent of the total corporate dividends in this country are distributed by only 293 companies. Out of these 293 companies, 200 companies only pay dividend at a rate higher than the rate mentioned in the Bill. Therefore, only 200 companies are covered so far as this amending Bill is concerned. Not much of exposure is necessary that these companies are controlled by the monopoly houses whose interests are entrenched and safe in the hands of this Government This is the position. Therefore, for the share-holders of only 200 companies this enabling provision is being made now which will go to the benefit of the monopoly houses. But we do not see any intention on the part of this Government to withdraw the wage freeze Bill.

Now, this Act is going to be amended. But still we are entitled to ask the hon. Minister and, I hope, the hon. Minister will try to reply, what will happen to the funds that will come in the hands of the companies. The former Finance Minister said that they will be utilised for increasing production, for diversification of the companies business, for modernisation, etc. The funds will no longer be in the hands of the companies as savings because the companies will have to declare dividends and will have to hold the money in the accounts of the share-holders who naturally are the persons who control the monopoly houses. Therefore, all the hopes, all the talks, about the companies' resources being utilised for expansion, for increasing production, for moder-

[Shri Somnath Chatterji]

nisation of the mills or the factories or the businesses, are all now going to be a complete unreality. It cannot possibly be achieved. When these apprehensions were expressed on the floor of the House, a solemn assurance was given by the then Finance Minister that it will reduce the pressure on the banks for the purpose of getting finances so far as these companies are concerned. There will be no question now of utilising these funds for the expansion of the businesses of the companies.

Another lollipop is now being given to them. The Finance Minister's great and keen desire to help them further is that 8 per cent interest will be given—I believe, that is what he said; that is the amendment and we are yet to see it--apart from the dividend. This is another concession which is being given to the monopoly houses by this Government who are shedding tears which I say are crocodile tears for the betterment of the general public. They are putting money in the hands of a microscopic section of the community in this country who will benefit by this measure

Sir, within eight months of the last Bill, they shamelessly come and take away one of the main props of the package scheme, the whole anti-inflationary structure, namely, the restriction on dividends. That is going but the edifice, according to them, remains

Now, the specious plea put forward by them is that one has to tone up the capital market. Kindly see the Statement of Objects and Reasons It says:

> "It is considered necessary to tone up the capital market so as to revive the confidence of investors and underwriters in new issues"

Various concessions have been given in this year's Budget, as I mentioned some of them yesterday, so far as the inter-corporate transactions, the wealth tax, the tax holiday, etc. are concerned. So many concessions have been given Another concession is now being given by this amending Bill

It is seen, in this country, that industrial production can increase only if the monopoly houses are pampered by this Government. Otherwise, nothing will happen. The hon. Finance Minister, on the floor of the Lok Sabha, solemnly says that we must have a robust share market, we must earn the confidence of the Stock Exchange—the manipulators; he calls them 'investors', but I say 'manipulators' The Stock Exchange will now influence the economic policy of this country. What is going to happen to the industrial production? Does the Finance Minister assure the House that, if this Amendment Bill is passed, it will increase the industrial production in this country? Or, do you want only the Stock Exchange to thrive and the people to make money by manipulating in the Stock Exchange? What are the figures before the House? Nothing has been given And what is the expectation once this restriction is removed in the way they are trying to do? The reasons are clear to us but they may not try to admit these. They say that the object is to increase the industrial production in this country. So far as the powers of the Government are concerned, what powers do they not have? They have got the DIR which they use against the ordinary people, for arresting people for making demonstrations and political agitations They have got immense powers by reason of the amendment of the Constitution The question is whether this Government will keep on leash the industrialists or the industrialists will go on dictating to the Government. The latter is happening now For gearing up the industrial production in the country, this Government is not using the immense powers it has. In the name of Emergency, the so-called Emergency, they are clinging to all the powers which

no country in the world, in the normal times, will have. Instead of using them against their political opponents if they had used them for the purpose of controlling the activities of the industrialists and monopolies, something could have been done for the country. But this being an election year, a very crucial year, Government's friends must be kept in good humour to assure the flow back.

Therefore, I submit that this Bill has not been conceived for the purpose of the good of the country; this has been conceived to meet their political ends, and to meet their political ends, they must keep those friends in the industry in good humour.

What will happen to the inflationary tendency? Not a word has been said, if I am not mistaken, by the hon. Finance Minister when he introduced this or when he made his speech today as to what will happen, what will be the probable consequences of this measure so far as inflation is concerned. They are patting themselves on their back on their own manipulated, fabricated statistics that inflationary tendencies are supposed to be under check. Nobody in the country accepts that, because the common people are still feeling the inflationary tendency. They are bearing the burden of it. The Finance Minister himself has said in his Budget speech that they are groaning under grinding poverty. The Finance Minister may kindly reply to us whether this Bill will reduce this burden of poverty so far as the common people of this country are concerned by a paisa? What are you trying to conceal from the country by bringing in measures like this? You are only exposing yourselves. With immense power in your hands, you do not, of course, mind exposures. But admit that. Do not say that this is part of a proposal which will enable better industrial climate in this country or that the industrial production in the country will increase. I submit that this is a Bill which should be thrown out. And if this Government is honest, then this Government should immediately declare at the same time that it will withdraw the wage freeze legislation. Then let them have this policy of going on pampering their good friends in the industry for their election fund We do not mind that. In any event, they will make it somehow or other. Therefore, let them make a statement that their so-called anti-inflationary policy has failed or at least they are unable to carry on in the manner they had conceived it, and having failed in their anti-inflationary policies, let them not go on depriving the wage-earners in this country who do not want to have air-conditioners or other luxury items as the Ministers have. We have many monuments of luxurious living in the country. Delhi abounds in that. They do not want that. They want a very simple living, two square meals a day which they do not get. But you do not assure them of that and they are now coming out with all sorts of specious pleas to go on perpetuating their miseries but you go on minimising the supposed difficulties of your industrialist friends.

Therefore, I very strongly oppose this Bill.

SHRI S. M. BANERJEE (Kanpur): I fully support the sentiments expressed by my hon. friend, Shri Somnath Chatterjee. I think he has expressed it so well that this can be safely taken as the views of those Opposition Members who opposed the Bill at that time.

What will happen? On 6th July this ordinance was brought. We criticised the ruling party for bringing this ordinance at a time when the Lok Sabha Session was so fast approaching and in the next six or seven days we were meeting here in this House. But they were so much concerned with the rise in prices and inflation that they thought that this was perhaps the only measure to bring down the prices and check inflation.

[Shri S. M. Banerjee]

And with this, they also brought an ordinance of compulsory deposits impounding 50 per cent of the dearness allowance of the Central Government employees and all wage-earners.

Both these Bills are opposed on two grounds. One was that this particular Bill which was brought was just an eye-wash. They never meant it seriously because I can tell you that this Government is neither against smugglers nor gamblers nor jugglers. These are the three persons who practically give them the inspiration and help them in the matter of such things. If it is a question of smugglers, we have seen how the smugglers have been let off, how nicely they were treated much better than the political prisoners...

MR. DEPUTY-SPEAKER: What have they done to the jugglers?

SHRI S. M BANERJEE: Then about the gamblers who gamble in the stock exchanges....

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): I could not catch him. Smugglers, jugglers and what?

SHRI S. M. BANERJEE: Smugglers, gamblers and jugglers. Jugglers are the last...

SHRI SOMNATH CHATTERJEE:.. and the Congressmen.

SHRI S. M. BANERJEE: They get the imagination of the people from the smugglers and gamblers and then they go to the jugglers. That is the last. I am only giving the illustration a little bit sarcastically. I wish it were true. You know what happened to the smugglers. Now, what will happen to this? What will happen to the stock exchanges in Calcutta and other places? Will there be no gambling? Will there be no forward trading, etc.? It will be full of those unauthorised telephone calls for which they never pay but we pay and they will be regularly doing these things.

Now, what will happen to the so-called inflation, which, according to the All India Radio, has been checked by 30 per cent, according to the television, 25 per cent and according to the Finance Minister, I do not know as the percentage has yet to come out. What happened to that inflation when in 1956, Rs. 150 crores of liquid money was available in the market? Will it not add to the inflation, according to the formulation of the Finance Minister, his predecessor and his predecessor and also the all-powerful Deputy Chairman of the Planning Commission? Now, dearness allowance has been denied to the Central Government employees on the ground that it will add to inflation? Why don't you consider the lot of these millions and millions of people who are starving on the streets?..

SHRI SOMNATH CHATTERJEE: Sermons are given.

SHRI S. M. BANERJEE: Sermons on the mount. I do not want to compare the Finance Minister with Christ. I must say that he uses sermons for sermonising to those who are already hit below the belt and who are already starving and while the line between hunger and starvation is becoming thinner and thinner, the sermon is becoming bigger and bigger. This is exactly what is happening.

I say that my hon. friend, Shri Somnath Chatterjee, has very ably said whether this money will be used for modernisation. No, Sir I come from the city of Kanpur. And the hon. Deputy Minister also comes from the same area—though from rural Kanpur. I am suffering at the hands of these employers who do not utilise this money whether it is given in the shape of rebate or whether you give any concessions. They draw Rs. 150 crores from some source in

the name of modernisation. Whether it is Rs. 50 or Rs. 150 crores, they do not modernise that particular mill from which they have earned fabulous profits. They have converted it into a junk and started an industry somewhere else. This is exactly what has happened to the Swadeshi Cotton Mills run by the Jaipurias. It is closed under some false pretext. It is one of the biggest textile mills in Asia. They have closed down the mill on the false pretext of labour trouble. That is not the whole thing. They have earned monies out of the shares, out of the dividends and so on and used that money in Ghaziabad in a new mill which is manufacturing polyester fibre.

11,000 men of Swedeshi Cotton Mills are rotting on the streets because of the closure of the Mills. The Chief Minister of U.P. whose fate hangs in suspense is unable to take any firm decision. So, the fate of 11,000 men of Swedeshi Cotton Mills actually is in the hands of Jaipuria who is minting money at the cost of the people, share holders and the consumers and utilising it for the purpose known to the Minister.

What happened to J.K. Rayon Mills? This question of closure of the mill was raised by my friend Shri Dinen Bhattacharyya. They wanted concession after concession—50 crores or 25 crores or whatever it may be. Will it be conducive for the economy of that mill? No. They have closed down that mill with a view to retrench 500 employees.

These two mills J.K. and Swedeshi Cotton Mills employing 11,000 and 1-1/2 thousand workers have been closed. Whether they will run these mills or modernise them? They will never do it.

The Finance Minister Shri Subramaniam can say, his predecessor brought this Bill. The whole difficulty in this Government is that nobody remains for more than a year. I do not blame him. I wish that Shri Subramaniam may continue in this office.

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): Mr. Chavan was there for four years.

SHRI S. M BANERJEE: He is no more there.

I am complaining against Mr. Chavan and not against you. Somebody gives birth to a baby and passes it on. That is the whole difficulty. We want the father and mother to continue— to nurse the baby. So this particular Bill is not going to help the common man, the consumer nor it is going to help the Government.

The compulsory Deposit scheme was also introduced. Rs. 150 crores liquid money will come into the market after two years. Will it not add to inflation? I will read the clause for the information of the House:

"In Section 5 of the principal Act, for the words "For a period of two years", the words "Save as otherwise provided in Section 5A, for a period of two years" shall be substituted.

5A provisos—"The income-tax Officer shall not, for the purposes of that Act, treat an assessee to whom any instalment of deferred dividend is payable as in default in respect of that part of income-by which is due in respect of such instalment deferred dividend, as reduced by the income-tax, if any deducted at source from such instalment, and shall continue to treat the assessee as not in default in respect of the said part of the income-tax, so as reduced until the expiry of thirty-five days from the date on which such instalment becomes due and payable to the assessee or the warrant in respect of such instalment is transferred by the assessee to any person, whichever is earlier.."

[Shri S. M. Banerjee]

I oppose this Bill on three grounds—

1. Financially this is not going to help the country, nor the shareholders, nor the consumers, nor the workers.

2. Whether this is morally correct, morally justified to give some concessions and impound 50 per cent D.A. of the Central Government employees and other wage earners and to deny five instalments which are due to the Government servants on the ground of fighting inflation?

Business Houses are being given concessions.

"The present Bill seeks to insert new section 5A in the Companies (Temporary Restrictions on Dividends) Act, 1974 to provide that a company may declare dividend out of the profits of the financial year."

It is considered necessary to tone up the capital market.

A Conference was held here. I heard with rapt attention the speech delivered by the Prime Minister. She delivered a good speech. She gave a bit of her mind. I want to know why succumb to the pressure? What will the country gain out of it? You can neither tone up the market nor revive the confidence of the investors in this way. Who are those persons? This will only help the friends of those people who are the business tycoons. I want the hon. Minister to consider whether this attitude is in line with the attitude shown to Central Government employees. Yesterday the Finance Minister said about D.A. and asked us: Think about the millions and millions of people who are starving. It is true. These people do not think about those who are indulging in blackmoney transactions and earning millions and millions of rupees. This is what happens. I tabled a question in this House which is yet to be answered. I invite your attention to a news item published in the Times of India dated the 12th April, 1975, under the heading, "Black Money Transactions racket busted." It has been stated therein that "the income-tax authorities have unearthed a racket of black money transections allegedly by persons controlling banks. After raiding two banks, the income-tax authorities have recovered fake fixed deposit receipts worth about Rs. 2 lakhs. The accounts did not bear any specimen signature cards and in most cases were 'care of' certain top personnel controlling the banks." This is what is happening. I appeal to the Minister in all earnestness, in all seriousness, in all humility not to score debating points, but to consider whether this is morally justified when in the case of the Central Government employees you have deducted 50 per cent of the DA and you have not paid five instalments of dearness allowance which are due to these Central Government employees as per the recommendations of the Pay Commission

So, with these words, I oppose the Bill and I request him not to press for it.

SHRI S. R. DAMANI (Sholapur): I have heard the remarks made out by Shri Somnath Chatterjee and Shri S. M. Banerjee. I do not agree with their views. After this Bill is introduced there has been a fall in the prices of shares. It is a fact. They must have seen this in today's newspapers. The index number of shares has also receded by 2 per cent. As they say that this Bill is going to help only some persons, then, they are entirely mistaken and they are only politically motivated in saying all these things. They only want to charge the Government; they don't want to see things in reality. They said that 293 companies are distributing 75 per cent of total dividends. Who are the owners of these companies? Sir, the owners of these companies are the public at large. The

shares of these companies are held by the public. Hardly 10 to 15 per cent shares are held by the management, but 80 to 85 per cent of the shares are all held by the public or some financial institutions. So, to say that all the dividends will go only to certain parties, is entirely wrong and baseless.

The Finance Minister said in his speech that this Bill has been brought forward as it was considered necessary to tone up the capital market so as to revive the confidence of the investors and under-writers in new issues. This is intended to help the investment climate so that people get more dividends and they can reinvest them and in this way the investment climate can be improved further. That is the reason behind this Bill. Whatever is distributed by way of dividends is going to the public at large.

A much largt percentage of investment ranging from 80 to 85 per cent is by public, the LIC, the Unit Trust. I say they are the biggest shareholders. I wanted to state the correct position to Shri Somnath Chatterjee. He wanted to know whether the industrial production goes up by this sort of relaxations granted by Government. I say that it was their party every time which came in the way of the industrial production. Sir, last year, you know the man-days lost was fifty per cent more than the previous year—1973-74. What was the reason for this? If they had cooperated and if they had not instigated the workers, the production would have gone up. It is not correct to charge the Government for each and everything. Before coming to my points, I want to state that such relaxations are needed if we want to improve the investment markets. While reading the Statement of Objects and Reasons, they have conveniently omitted to see what the Finance Minister has said in the Statement of Objects and Reasons. This is what he said:

"It is considered necessary to tone up the capital market so as to revive the confidence of investors and underwriters in new issues."

What we want is this. When new companies come up, production should increase and along with that, employement should also increase. In the last two years very few new companies had come up. The public are not investing their money. On the contrary they are withdrawing the investments that they have made. As a result of that, very few new companies came up. A few days back when the Minister for Industrial Development replied to the debate on demands for grants of his ministry he said that licences granted in 1972 were 560 while the total new companies that came into being were 71. In 1973, slightly more than this number came into being but in 1974, about 100 new companies came into being. So, in order to see that new industries come up or new undertakings come up, it is very essential that the climate of investment is required to be improved. This was what the Finance Minister tried to do by this Bill so that more and more people came forward for investment of their earned income in the new undertakings which will result in increase in production in the country solving the unemployment problem in the country etc.

It was convenient for them to see a part of the statement of objects and reasons but they have conveniently omitted what the intention of the Finance Minister was for bringing forward this Bill.

Now I want to make some suggestions. What are the reasons why the people are not interested in investing their income in the new companies. This also requires some consideration. Of course, new companies will take four to five years to declare dividends. Investors know this, but

[Shri S. R. Damani]

they want appreciation of their capital. And whatever amount they invest, in four to five years' time, they expect some appreciation of their capital invested.

In this connection I would only draw the kind attention of the hon. Finance Minister to what the late Shri T. T. Krishnamachari did in the year 1957-58. He wanted to stimulate the investment market so that the pace of industrialisation might be quicker. He took certain decisions and took some actions. That proved useful and it brought fourth the desired results. The improvement market improved. I will request the hon'ble Finance Minister, if possible, to introduce the measures taken by his late predecessor, Shri T. T. Krishnamachari which proved successful at that time so that the investment market can really improve and the country may have more industries and employment. That will bring down prices also.

Secondly, according to this Bill a company can declare dividend but in the current year they have put the restriction at 12 per cent or 1/3 of the net profit.

SHRI C. SUBRAMANIAM: That restriction has been removed by an amendment.

SHRI S. R. DAMANI: When the rate of interest given by the company on deposit is so high in that case 12 per cent net dividend should be allowed because there are many companies whose shares are quoted at two to three times the face value. 12 per cent may be allowed in the first year and balance be paid, as suggested, in two years.

I think that during the current year the demand is sluggish and, as such, the profit of the industry are likely to be much lower. Therefore, it is necessary that some liberal distribution of dividend is allowed so that those people who are dependant on the dividend income or those who can afford to invest may invest their funds. With these words I support the Bill.

SHRI V. MAYAVAN (Chidambaram): Mr. Deputy Speaker, Sir, I welcome this Bill which has been piloted by the Finance Minister. This Bill should have been thought of a couple of years back. After the Government decided upon credit squeeze it has been difficult for the companies to raise money from the market and also at the same time it has not been possible to impress upon the public about the relative advisability of putting their money in this corporate sector because the dividend restrictions acted as a dis-incentive. The Finance Ministry was forced to take some action when there was a run on the Unit Trust. When T. T. Krishnamachari conceived of the Unit Trust scheme it was felt 7-1/2 per cent was a high rate. Now, the nationalised banks are competing with each other in raising the interest to 14 per cent. Already a stage has reached where the scheduled banks now charge 14 per cent and this aspect will have to be reviewed by the hon. Minister. In such circumstances it will be ideal to think that the companies could go on paying the old dividends. I should compliment the Government for having decided to come forward with this Bill which enables the company to get out of the restrictions already imposed. Inflation could be kept under check by the extra dividend not being paid but being deposited to the shareholders account. The Minister will have to consider this. I am confident that the trust of the public in the corporate sector will revive. They should bt equally good for new companies to advertise their new establishments.

Sir, I would like to draw the attention of the hon. Minister to the repeated representations made by the

Tamil Nadu Government that employee shareholders should be exempted from the payment of income tax. This would definitely stimulate their interest to have more investment. Therefore, I would request the hon. Minister to concentrate only on this aspect and to see that the request of the Tamil Nadu Government is implemented.

डा० लक्ष्मी नारायण पांडेय (मंदसौर) कम्पनी (लाभांशों पर अस्थायी निबन्धन) संशोधन विधेयक विचारार्थ आपने रखा है। जब आपने लाभांशो पर नियत्रण लगाया था उस समय भी यह आशंका व्यक्त की गई थी कि सरकार के द्वारा उठाए गए इस प्रकार के कदम ठीक नही होगे। आज वह आशका सही साबित हुई है। सरकार ने स्वयं स्वीकार किया है कि विभिन्न प्रकार के आर्थिक प्रतिबन्धों के कारण तथा सरकार की दोषपूर्ण आर्थिक नीतियों के कारण कैपिटल मार्किट या तो ठीक नही हो पाई है या फिर उसके ऊपर जितना दबाव लाना चाहिये सरकार वह दबाव नही ला पा रही है। सरकार ने दावा किया था कि कीमते घटी हैं। सरकार के कुछ उपायों मे कीमते सामानयत. अवश्य घटी थी लेकिन अब वे फिर से बढ़ने लग गई है। ये बढ़ रहीं हैं मैं समझता हू कि सरकार को इसको स्वीकार करने मे कोई हिचक नहीं होगी। वे अब तेजी से बढ़ रही हैं सरकार ने यह भी दावा किया था कि कम्पनियों के लाभांशों पर प्रतिबन्ध लगा करके जो पैसा एकत्र होगा उस पैसे का कम्पनिया अपने विकास के लिए उपयोग करेंगी। लेकिन कम्पनियों ने ऐसा नहीं किया। परिणाम यह हुआ कि उनका विस्तार रुका और साथ साथ नई कम्पनियां जिस गति से सामने आनी चाहियें थी और औद्योगिक उत्पादन जिस गति और तीव्रता के साथ बढ़ना चाहिये था नहीं बढ़ा। मंत्री महोदय स्वीकार करेगे कि न तो नई कम्पनियों का आगे बढना सम्भव हो सका है और न ही औद्योगिक उत्पादन के अन्दर किसी प्रकार की गति सम्भव हो सकी है। गलत आर्थिक कदमो मे औद्योगिक उत्पादन नही बढा है सरकार के इन कदमों के कारण लोगो की कम्पनियो मे पैसा लागाने के बजाय बैंको मे फिक्सड डिपाजिट मे पैसा लगाने की गति बढी है क्योकि वहा इंटरेस्ट ज्यादा मिलता है और कम्पनियो मे पैसा लगाना उन्होने प्राय. छोड़ दिया है। लाभाशो पर प्रतिबन्ध भी एक कारण था कि कम्पनियो का जिस प्रकार से विकास होना चाहिये था और जिस प्रकार से औद्योगिक उत्पादन बढना चाहिये था नही बढा है। मंत्री महोदय ने भी इस बिल मे खुद स्वीकार किया है.

"It is considered necessary to tone up the capital market so as to revive the confidence of investors and underwriters in new issues."

मंत्री महोदय स्वयं स्वीकार करते हैं कि लोगों मे यह भावना घर कर गई है कि उन्होने जो पैसा कम्पनियो मे लगाया है उसकी पूरी सुरक्षा नहीं है, न उसका कोई काम ही है या कोई गारंटी ही है। उनको उस पैसे पर किसी प्रकार से लाभ

[डा० लक्ष्मी नारायण पांडेय]

मिलेगा यह संभावना भी नहीं है । यही कारण है कि लोगों ने इनवैस्टमेंट करना रोक दिया है । कुछ दिन पहले आपको याद होगा कि यूनिट ट्रस्ट आफ इंडिया के बारे में भी एक बिल आया था और उसमें जो आयकर की छूट की सीमा थी उसको आप बढ़ाना चाहते थे, उसको बढ़ा कर और छूट देने का आपने प्रयत्न किया था । कारण यह था कि यूनिट ट्रस्ट में पैसा लगाने की लोगों की वृत्ति पर प्रभाव पड़ा था आपके भिन्न-भिन्न प्रतिबन्धों के कारण । आर्थिक सुधार के नाम पर भिन्न-भिन्न प्रतिबन्ध आपने लगाए और इनका नतीजा यह हुआ है कि सरकार की तथा देश की आर्थिक स्थिति ठीक नहीं हो सकी है । आपने तो इसको ठीक करने का प्रयत्न किया लेकिन इसका परिणाम उलटा ही निकला । आज भी देश की आर्थिक स्थिति गिरती जा रही है, आज भी उस में किसी प्रकार का सुधार संभव नहीं लग रहा है । मैं नहीं समझता हूं कि इस बिल को लाने से भी कोई ज्यादा सुधार हो सकेगा अभी तक आपने बारह परसेंट से अधिक डिविडैंड न देने की बात कही थी और अब बारह परसेंट से भी आगे जा कर आप कहते हैं कि जितना देना चाहें दे सकते हैं लेकिन उसको दो भागों में दिया जा सकेगा या दो किस्तों में दिया जा सकेगा और साथ ही उसके ऊपर किसी प्रकार का कोई इंटरैस्ट नहीं दिया जायेगा । एक भाग 1976 में और दूसरा 1977 में दो वर्षों में दिया जायेगा । मैं नहीं समझता हूं कि जो साधारण शेयरहोल्डर है उसको इसका किसी प्रकार से लाभ मिल सकेगा । जो पैसा एकत्र होगा वह कम्पनियों के पास रहेगा और वे ही उससे लाभ उठा सकेंगी । चूंकि पैसा कम्पनियों के पास पड़ा रहेगा इस वास्ते कम्पनियों के जो बड़े-बड़े लोग हैं या मैनेजिंग डायरैक्टर या डायरैक्टर्स हैं वे ही उसके लाभ उठायेंगे और साधारण जो इनवैस्टर हैं, शेयरहोल्डर हैं उसको किसी प्रकार से लाभ मिलने वाला नहीं है ।

मैंने प्रारम्भ में कहा है कि जो भी कदम आपने कीमतें घटाने के बारे में उठाए हैं उनका विपरीत नतीजा निकला है और कीमतें घटने के बजाय फिर बढ़नी शुरु हो गई हैं । डिविडेंड ऐक्ट का एमेंडमेंट करने वाला जो बिल आपने रखा है उसका भी कोई खास असर नहीं पड़ा है, कोई आशा नहीं बंधी है । आज के ही 'हिन्दुस्तान टाइम्ज' में यह समाचार निकला है । मैं उद्धृत करता हूं :

"Share prices were marked down in the Bombay Stock Exchange as the Dividend Act Amendment Bill introduced in the Lok Sabha today left the market disappointed. The market commenced trading on a bright note on hopes of modifications, but quickly lost ground".

थोड़े समय के लिए आशा बन्धी थी लेकिन उसके बाद फिर विपरीत असर पड़ने लग गया और लोगों की आशायें निराशा में बदल गई ।

एक दूसरी समीक्षा भी निकली है और उस में साफ कहा गया है :

"The much-awaited amendment to the Dividend Act introduced by the Finance Minister today failed to impress the share markets".

इसी सम्बन्ध में जुलाई, 1974 में आपने जो एक अध्यादेश प्रख्यापित किया था। और बाद में बिल लाकर पास करवाया था और आशा व्यक्त की थी कि पूंजी लगाने की प्रवृत्ति को बढ़ावा मिलेगा, काफी पूंजी सामने होगी वह आशा भी निर्मूल सिद्ध हुई। परिणाम यह हुआ कि कैपिटल मार्केट की दशा

"The capital market has been depressed since the imposition of the limitations on dividends Capital issues during the year ended March, 1975 totalled Rs 61 3 crores against Rs 70 3 crores as in the previous year and Rs 90 2 crores in 1972-73 Initial issues of the shares declined considerably to Rs 25 9 crores during 1974-75 from Rs 50 5 crores in the previous year The setback in the capital issues has come at a time when fresh investment is needed in many new capital ventures which have been cleared by the Government"

सरकार ने आशा व्यक्त की थी कि औद्योगिक प्रतिष्ठानों को पूंजी लगाने के लिए पैसा मिल सकेगा लेकिन पैसा नहीं मिला। यह सरकार की दोषपूर्ण नीतियों का ही परिणाम है। मैं नहीं समझता हूं कि अब भी आप जो कदम उठा रहे हैं उससे किसी प्रकार से आर्थिक स्थिति में सुधार होने की आशा की जा सकती है। आज भी शेयर बाजार में, कैपिटल मार्केट में या पूंजी बाजार में गतिरोध की स्थिति बनी हुई है और लोगों की पूंजी लगाने की वृत्ति घटती जा रही है ऐसे कदम आपको उठाने चाहियें जिससे कि लोगों की वृत्ति पूंजी लगाने की ओर बढ़े। आज उनकी वृत्ति फिक्सड डिपाजिट्स की ओर प्रवृत्त हो रही है क्योंकि वहां इंटरेस्ट ज्यादा मिलता है या दूसरी ओर जैसा लगा रहे हैं। आपने अभी भी बहुत सी रेस्ट्रिक्शन्स लगा रखी हैं जिनको आप को हटाना चाहिये। जैसे माननीय सदस्यों ने कहा आपने वेज फ्रीज लागू कर रखा है। उसके बारे में आपकी ओर से कोई आश्वासन नहीं दिया गया है कि इसको आप हटाने जा रहे हैं। गरीब लोग इसकी वजह से परेशान है, दुखी हैं। साधारण कर्मचारी बहुत ज्यादा परेशान हैं। उनके ऊपर आपने वेज फ्रीज लागू कर रखा है। मैं चाहता हूं कि मंत्री महोदय कुछ ठोस कदम उठायें। आर्थिक उपायों पर फिर से विचार करें। ऐसा उपाय करना चाहिये ताकि रेट आफ सेविंग बढ़े, उसकी दर बढ़ सके। रेट आफ सेविंग अगर बढ़ता है तो इनवेस्टमेंट भी बढ़ सकती है। उससे आर्थिक स्थिति में सुधार होगा। कैपिटल मार्किट को फिर से रिवाइव करने का आप प्रयत्न करें। इस प्रकार के निरर्थक नियंत्रण न लायें जिससे कि कीमतों में भारी उतार चढ़ाव हो और शेयर मार्किट के कारण कीमतों में जो उतार चढ़ाव आता है बना रहे या अस्थिरता बनी रहे। मैं यह भी चाहता हूं कि टैक्स स्ट्रक्चर को आप रेशनलाइज करें। उसका इस तरह का रूप दें ताकि सामान्य लोगों को परेशानी न हो। उसमें आप सरलता लायें। आपने जो विधियां निर्धारित की हैं, जो कानून बनाए हैं, जो नियम बनाए वे बहुत जटिल हैं जिस के कारण लोगों को भारीय परेशानी का सामना करना पड़ता है। इस पर आप

[डा० लक्ष्मी नारायण पांडेय]

विचार करे । आर्थिक नीति इस प्रकार से निर्धारित करे ताकि औद्योगिक उत्पादन बढ़ सके, नए उद्योग खुलने को बढ़ावा मिल सके और उनके लिए काफी पूंजी प्राप्त हो सके । अन्त में मैं पुन एक बार कहना चाहूंगा कि आप अपनी नीतिया इस प्रकार निर्धारित करे जिससे लोगो को विश्वास हो सके कि हमारी जो पूंजी लगाई जा रही है, वह ठीक से सुरक्षित है और उसका हमको लाभ मिलेगा । लोगो को इस बात की आशंका नही होनी चाहिए कि हमारे देश की आर्थिक स्थिति संतोष जनक नही है, न उसमे सुधार की गुंजाइश है । आज लोगों मे यह भावना बनती जा रही है कि हमारे देश की आर्थिक स्थिति गिरती जा रही है । जब तक लोग इस बारे मे आश्वस्त नही होगे कि देश की आर्थिक स्थिति मजबूत है और उनके द्वारा लगाया हुआ पैसा सुरक्षित है, तक तब उनमे पैसा लगाने की प्रवृति नही आयेगी ।

15.00 hrs.

मैं चाहूगा कि मत्री महोदय इन सभी बातो पर गभीरता पूर्वक विचार करने की कृपा करे ।

श्री भक्त लिमये (बाका) उपाध्यक्ष महोदय, विगत साल जो तीन विधेयक हमारे सामने रखे गये, जिनका वर्णन सरकार ने पैकेज डील के नाम से किया था, उनमें एक तो कपलसरी डिपाजिट योजना के बारे में था, अर्थात् 15 हजार रुपये से ज्यादा जिनकी आदमनी है, उनको जबर्दस्ती एक हिस्सा जमा कराना पडेगा । दूसरा यह डिवीडैड वाला बिल, और तीसरे विधेयक में, जो मजदूरों को अतिरिक्त वेतन, मडगाई भत्ता या बोनस मिलने वाला था, उसका आधा हिस्सा जमा करने के बारे में योजना थी ।

उसी समय मैंने कहा था कि जहां तक कपलसरी डिपाजिट का सवाल है, वह बिल्कुल बेकार योजना है । मैंने यह भी कहा था कि जहा सरकार एक ओर लोगों की आमदनी का एक हिस्सा जमा करेगी, दूसरी ओर जैसा कि लोगों ने मुझे कहा, उनके 6 महीने या एक साल के जो फिक्सड डिपाजिट्स हैं, उनको वे लोग वापिस ले लगे और उसमें अगर उनका ब्याज भी खत्म हो जायेगा तो उनको कोई नुकसान नही है, क्योंकि जो रकम जमा होगी, उस पर उनको ब्याज मिलगा । कपलसरी डिपाजिट के बारे में शुरू से मेरी राय है कि यह बिल्कुल रद्दी और निकम्मी योजना है ।

डिवीडेड के बारे में मैंने उस समय उदाहरण दिये थे और यह साबित किया था कि जिन्होंने जिन्दगी भर ईमानदारी से सेवा कर के, काम कर के या कोई धन्धा कर के जो बचत की है और शेयर्स में लगाई है और इससे जो डिवीडेड की आमदनी होती है, उस पर वे निर्भर करते है, उन पर इससे बहुत बडा सकट आने वाला है और बहुत बडा त्याग उनको करना पडेगा । लेकिन सरकार ने हमारी बातों को इसलिए नहीं माना, क्योंकि सरकार का असली मकसद दूसरा

था। उसका असली मकसद यह था कि मजदूरों पर उन्होंने जो पाबन्दी लगाई थी, फ्रीज लगाया था, उसको शूगर कोट करने के लिए इन विधेयकों को लाया गया था, हालांकि सरकार स्वयं जानती थी कि यह दोनों विधेयक बेमतलब हैं। मंत्री महोदय अभी जो संशोधन लाये हैं, उससे पता चलता है कि स्वयं वे महसुस कर रहे हैं कि जो बिल वे विगत साल लाये और हमारी बातों को नहीं माना, उससे नुकसान हुआ है।

आज मैं सरकार से कहना चाहता हूं कि उसने यह जो पैकेज डील की बात रखी थी, उसका एक हिस्सा तो तकरीबन खत्म हो गया है, कंपलसरी डिपाजिट भी बेमतलब है, तो क्या सरकार अकेले कर्मचारियों पर और मजदूरों पर ही यह निर्बन्ध लगाना चाहती है? मेरी सरकार से प्रार्थना है कि अब समय आ गया है कि वह पूरे पैकेज डील के बारे में पुनर्विचार करे और मजदूरों पर जो निर्बन्ध लगाये गये हैं, उनको भी वह तत्काल हटाये।

मंत्री महोदय यह कह सकते हैं कि मजदूरों को अगर अतिरिक्त वेतन, बोनस और महंगाई भत्ता मिलेगा, फिर मुद्रा-स्फीति का संकट उत्पन्न हो जायेगा। उसका इलाज एक ही है कि सरकार उत्पादन को बढ़ाने की दृष्टि से सोचे।

अफसोस की बात है कि अर्थव्यवस्था में जो कुंठा की स्थिति उत्पन्न है, उसको दूर करने के बारे में अभी तक सरकार ने गहराई में जाकर नहीं सोचा है। आज ही सवेरे मैंने सेंट्रल स्टैटिस्टिकल आर्गनाइजेशन की ओर से प्रकाशित राष्ट्रीय आमदनी के आंकड़ों को देखा है। मुझे यह देखकर ताज्जुब हुआ कि 1960-61 के दामों में 1964-65 में हमारी जो फी व्यक्ति आमदनी थी, 10 साल में उसमें कोई परिवर्तन नहीं हुआ है। 10 साल पहले जो फी व्यक्ति आमदनी थी, आज भी वही आमदनी है सरकार ने जो यह सारी पंचवर्षीय योजनाएं बनाई और इतना बड़ा अम्बार रचा, उससे साधारण आदमी को क्या मिला?

जब तक सरकार पैदावार को बढ़ाने की कोई व्यापक योजना देश और इस सदन के सामने नहीं रखेगी, तब तक मुझे ऐसा लगता है कि इस पैकेज डील वगैरह का कोई असर नहीं होने वाला है। इधर कुछ चीजों के दाम जरूर टूटने लगे हैं, लेकिन मैं इसको प्रसाद चिह्न मानूं या एक संकट हमारे ऊपर आ रहा है, जिसको मंदी कहा जाता है, वह मंदी आ रही है, इसका प्रतीक समझूं, इस के बारे में मेरे मनमें शंका है। आज कोई उद्योग ऐसे है, जिनमें वर्तमान यूनिट्स तेजी से बन्द हो रहे हैं।

आज रेलवे की हालत यह है कि चूंकि रेलवे के विस्तार की योजना खटाई में पड़ी हुई है, इसलिए वैगन्स के लिए आर्डर्स

[श्री मधु लिमये]

नही हैं । इजीनियरिंग इडस्ट्री आज सकट मे है । सरकार की नीतियो के कारण बहुत से औद्योगिक क्षेत्रो मे आज मन्दी की लहर दौड रही है । मैं मत्री महोदय से कहना चाहता हू कि उनको ऐसा लगता होगा कि उनकी जो क्रैडिट स्क्वीज की पालिसी है, या जो पैकेज डील है, उससे तत्कालिक सफलता मिली है । लेकिन आर्थिक सुधार की स्थिति को जब तक वह खत्म नही करेगे और तेजी से पैदावार नही बढायेगे, तब तक यह क्रैडिट स्क्वीज की पालिसी और पैकेज डील अन्ततोगत्वा घातक सिद्ध होंगे ।

वित्त विधेयक के बारे मे मैंने मत्री जी के दोनो भाषणो को सुना । मुझे खुशी है कि कम-से-कम उन्होने इस बार हमारे कुछ सुझावो को स्वीकार किया है । ऐसा लगता है कि पुराने वित्त मत्री की तुलना मे इनका मन कुछ खुला हुआ है । आज हम लोग जो यह सुझाव दे रहे है, उनके बारे मे भी मत्री महोदय विचार करे ।

उन्होने महगाई भत्ते के 5 इस्टालमैंट्स रोक रखे है । महाराष्ट्र मे भी यह सवाल आया है । वहां हडताल चल रही है । कई और राज्यों मे भी यह सवाल आया है । मैं गभीरतापूर्वक मत्री महोदय से कहूगा कि विगत 27 वर्षों मे सरकार की जो एम्प्लायमैंट की नीति रही है, उसके बारे में मैंने एक सवाल पूछा था, जिसका सतोषजनक उत्तर मुझे प्लानिंग मिनिस्टर से नही मिला है । मैंने पूछा था कि अविकसित देश होते हुए भी क्या टर्शरी सैक्टर में, सेवा और व्यापार में, हमारे देश में रोजगार बहुत अधिक नही बढे हैं, बनिस्बत उत्तर अमरीका और पश्चिम यूरोप के, जहां जब औद्योगीकरण हो रहा था, तो कारखानों और खदानों मे सबसे ज्यादा रोजगार बढते थे । मैंने देखा है कि सम्पन्न होने के बाद, 50 वर्षों के बाद, उन देशों मे लोगों को सेवाओ मे अधिक रोजगार मिलने लगे हैं ।

लेकिन हमारे देश मे क्या स्थिति है ? अग्रेजो के जमाने मे जिले के स्तर पर 5 या 6 अधिकारी हुआ करते थे डिस्ट्रिक्ट मजिस्ट्रेट, जिला जज, पुलिस सुपरिण्टैडेट, सिविल सर्जन और कार्यकारी अभियन्ता अर्थात् एग्जीक्यूटिव इजीनियर । आज आप किसी जिले मे जाइए, वहा आपको 25, 30 जिलाधिकारी मिलेगे ।

श्री ब्रह्मानन्द रेड्डी बैठे हुए है, मुझे पता नहीं कि वे सो रहे है या सुन रहे है । वे मुख्य मंत्री रहे है । वे इस बात की पुष्टि करेगे कि जिस जिले मे एक जिला मजिस्ट्रेट नही मिलता है, वहा जिला मजिस्ट्रेट जिला अधिकारी जरूर रहेगा और उसके कितने कारकुन और चपरासी भी रहेगे । इसी तरह जहा एक भी उद्योग नही है, वहा जिला उद्योग विकास अधिकारी रहेगा और उसके भी कितने और कारकुन आदि रहेंगे । नतीजा यह हुआ है कि बहुत बडे पैमाने पर नौकरशाही का विस्तार हुआ है और आज राज्य सरकारों और केन्द्रीय सरकार के बजट बिल्कुल बैलेन्स्ड नहीं हो पा रहे हैं ।

इसमें कर्मचारियों का दोष नहीं है। प्लानिंग कमीशन और सरकार की नीतियों के कारण एक ओर विश्वविद्यालयों में ऐसे ग्रैजुएट्स का निर्माण किया गया है, जो केवल कर्मचारी और क्लर्क बनने के लायक हैं और दूसरी ओर सरकार ने रोजगार के बारे में ऐसी नीति बनाई, जिससे कारखानों और खदानों में रोजगार बढ़ने के बजाय सेवा और दुकानदारी रोजगार बढ़े। मेरे प्रश्न का जो उत्तर दिया गया है, उससे भी यह साबित होता है।

मैं मंत्री महोदय से गम्भीरतापूर्वक कहना चाहता हूं कि इस तरह के पैकेज डील से कोई नतीजा नहीं निकलने वाला है। वह संकल्प करें कि जब तक हमारे देश में कृषि का विकास और औद्योगीकरण बहुत दूर तक नहीं होता है, तब तक हम लोग दूर तक नहीं होंगे, तब तक हम लोग कार्यालयों के क्षेत्र में रोजगार का निर्माण नहीं करेंगे।

एक मुहल्ले में जहां पहले कपड़े की दो दुकानें थीं, आज वहां कपड़े की चार दुकानें हैं। उस से कपड़े की पैदावार नहीं बढ़ती है। वही कपड़ा वितरित करने का काम दो दुकानों के बजाये चार दुकानें कर रही हैं। अगर मंत्री महोदय समझते हैं कि इस तरह वह राष्ट्रीय उत्पादन में वृद्धि करते जा रहे हैं, तो मैं समझता हूं कि यह एक भ्रम है और इस से देश का नुकसान हो रहा है।

इसलिए मंत्री महोदय से मेरी प्रार्थना है कि वह इन तीनों बिलों के बारे में बुनियादी तौर पर सोचें, और उत्पादन तथा रोजगार के बारे में आज तक सरकार की जो नीतियां रही हैं, उन का मूल्यांकन कर के नई नीतियों को सदन के सामने रखें।

SHRI P. G. MAVALANKAR (Ahmedabad): The manner in which Government have come forward so soon after their original Bill with this amendment is. I am afraid, some kind of a strange commentary on the mentality and maturity of Government with regard to certain legislation. Apart from the fact that many of these things of recent origin have come in the form of Ordinances to be subsequently approved of by Parliament, what I would like to ask the Finance Minister and the Government in general is this. Can you not really bring forward considered and well-integrated legislation which becomes workable for at least some period of time? Yesterday the Finance Minister himself said that he would require some period of time to see how some of the policies and calculations proceed. He was referring to the exemption limit of Rs. 8,000 on income tax and he wanted some more time to study it. Similarly, I would like to ask: why not Government bring forward such a legislation as can be workable and practicable which will achieve the desired ends and then, if necessary, improve upon it, but this amendment shows that Government had not given proper and well considered thought to the whole matter as to how to deal with the economic situation, probably because they were overpowered and enveloped by the recent extraordinary economic crisis of 1973-74. I do not want to say that the present Finance Minister has to carry on with the legacy of his predecessor, distinguished though he was while he was in office, but the fact remains that the policy which the Government of India carried on during the Finance Ministership of Mr. Chavan was not a policy which was really successful in terms of tackling some of the acute economic issues.

[Shri P. G. Mavalankar]

Apart from this question of hasty legislation and half-conceived notions which are put into the legislation which ultimately make it necessary for the Government to come forward with amendments, my straight question to the Finance Minister is: what happens now to his package deal, because it was his predecessor who said that this particular Bill should not be taken in isolation, since it was a part of the package deal. Now, if this is part of a package deal, how is it that you only touch one part of it and leave the other parts untouched? Are you going to come forward with amendments of the other parts of the same package deal, or are you admitting that the package deal is dead and gone?

Government have a very curious approach on this particular issue because they have been trying to have some kind of balancing exercise! Because they hit wage earners and workers hard by making them put part of their extra earnings into compulsory deposits, they wanted to appear as being fair and just and therefore they said they were also hitting the other sections of the community, namely, the middle class people, the small shareholders and dividend earners and therefore they came forward with this kind of a Bill restricting dividends. But I want to ask the Finance Minister: can he honestly tell us whether the original Act really served the purpose? Did it really leave enough money in the hands of companies and did they use that extra amount which was not distributed to the shareholders for, if not modernising, at least for toning up the existing units? Was it used for adding to the efficiency of the units which were working in the country? What we see is that this did not happen, so that nobody benefited. The Government of India also did not benefit, nor did industry nor did the poor shareholders. Therefore, by this dividend restriction what they did was that they put one additional harassment or hardship on a certain section of the people, merely for balancing with their earlier legislation restricting the wages of labour especially in terms of dearness allowance. Therefore, I feel that this half-hearted measure has not really produced the desired results. Neither has it helped the industrialists nor the shareholders nor the workers nor the public. If so, whom does it really benefit?

If you see the original Act and the amendment there are so many accounts to be kept, half to be given now, half two years later, interest to be calculated etc. At the end of all these procedural involvements, what is the resulting benefit you get? Is it really so large? Of course, the Finance Minister will say that he has to see that industrial production is augmented and it is precisely for that purpose that he has come forward with this amendment because he says that if new companies are not getting necessary incentive because the shareholders are not coming forward to buy the stocks, he has to give some concession. But what are the facts? Is it not a fact that 293 monopoly concerns normally are distributing as much as 75 per cent of the dividends in the country? Are these monopoly concerns in any way affected in terms of augmentation of production by the earlier Act? When you say that the new companies are not getting ward and that the stock market is shy, I want to ask which are the new companies other than those started by monopoly houses or their subsidiaries, how many new companies have not come up because of the restrictions? That would really answer part of the question, because if monopoly houses are starting new concerns, then, surely they do not seem to be having any difficulty with regard to capital investment.

The Minister of Industry and Civil Supplies, answering a question of Shri Vayalar Ravi on the 30th April said that the production of Phillips Co., in 1972 was 19.85 million GLS lamps. In 1974 it was 23.23 million GLS lamps. Therefore, their production has gone up.

One can go on adding such examples to show that the existing monopoly houses and their new concerns are not finding it difficult to attract new capital from the people and the shareholders. So, which are the nem companies which he has in mind?

Lastly I want to suggest this point also because I think it is important. With regard to foreign companies I find from an answer to a Starred Question on the same date, 30th April, given by the Minister of Industries and Civil Supplies on multi-national corporations that he said:

> "(a) There were 538 branches of foreign companies and 202 Indian subsidiaries of foreign companies in India on 31st March, 1973. These foreign companies can be deemed to be multi-national corporations since they control production and service facilities in two or more companies.
>
> (b) The profits and dividends remitted abroad by the branches of foreign companies and the Indian subsidiaries of foreign companies during 1971-72 were Rs. 32.95 crores and Rs. 39.11 crores respectively."

So, here is a situation where the Government of India permits foreign companies and the Indian subsidiaries of foreign companies to remit dividends and profits abroad. But they are restricting the Indian companies with regard to the dividends. Therefore, there is some kind of an anomaly. Why should we not put such regulations and restrictions on foreign companies and their dividends?

My point is that you deal in one way with the foreign companies and in another way with the Indian companies. But my real point is this. You want the labourers, the workers and the wage earners to be hit hard by your legislation because of certain solution which you want to seek for your economic problems but, how is it that you give relief to investors in capital market and you do not give the same relief to the workers? I think this is a gross injustice. Since by our amendment it has now been proved that your package deal is broken, let it be broken and let the wages of the workers be not impounded in the way you have done by a previous act on this question.

SHRI C. SUBRAMANIAM: Mr. Deputy-Speaker, Sir, I was not present when the debate was initiated by Shri Somnath Chatterjee. I was told by my colleague that he made a brilliantly devastating speech. As a matter of fact, I welcome such speeches rather than the sort of stuff which is given by some other Members of his party.

With regard to the discussion on this Bill, I am afraid, the scope of the Bill, either it has not been purposely understood or they have not taken care to look into the implications of the proposals I have made in this Bill.

As far as package measure is concerned, that package measure was intended to restrict the money supply, and therefore, various measures were formulated. I do agree with regard to the importance of the 50 per cent of the dearness allowance being impounded, extra bonus payable being impounded, extra increase in wages, being impounded, compulsory deposit by the income tax payers and also restriction on dividend. Does this measure, in any way, take away that restriction which was placed on the money supply? This is a matter which will have to be taken into consideration.

As far as dividend payment is concerned, we said that they cannot have anything more than what is payable on 33½ per cent of the net profit or 12 per cent whichever is less. Even now the dividend payable is only restricted to that. What we are contemplating here is what will happen after the expiry of those two years. Therefore, as far as package for two years

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is concerned, it is still intact. I am not interferring with it. I hope the hon. Member agrees with it, because no money is intended to be squeezed more than what was contemplated in the original Act itself. Therefore, now, we are only considering if the profits of the company are left with the company, how is it to be dealt with? Should it go to the shareholders? It would have happend if there were no restrictions on the declaration of dividend and the payment of dividend. Even though this was intended as a temporary measure for two years, yet even after two years, they should not get advantage of the profits earned by the company. I don't think, at any time, it was intended that the shareholders should not get the benefit of the profits earned by the company during these two years. The only restriction we wanted to lay was that this money should not go into current consumption.

PROF. MADHU DANDAVATE (Rajapur): Do you agree that the original Act was hasty and defective?

SHRI C. SUBRAMANIAM: It was not defective. Even now, I am not enabling by this provision to pay even one paise extra more than what would have been payable under the previous Act. This the hon. Member should realise.

What we are now trying to find out is how to ensure that the profits earned by the companies during these two years do reach the shareholders. We can provide that it can be declared later on after 1976, that they can take into account the totality of the profits earned and, therefore, on that date, they can declare the dividends. But as I already stated, mainly because of the restrictions placed on the payment of the dividends and also on the declaration of the dividends, the value of the shares has been going down and, therefore, the capital market has been affected. What I am enabling now is not for the payment of anything more than what was payable under the previous Act but now I only say, with regard to the profits this is the amount which will get itself attached to a particular share and which will become payable only after July, 1976.

Further question arose as to whether this should not carry any interest because once the dividend is declared, then it becomes the shareholders' money held by the companies. On equity, a reasonable interest is called for, the interest he would have obtained if he had deposited in the bank for this period. Between 1 to 3 years, it is 8 per cent interest and, therefore, I have provided that 8 per cent interest will be paid. This does not affect in any way the structure of the package till July, 1976. Therefore, to argue on the basis, simply because I am making some internal arrangement as between the company and the share-holders and I am making an interim arrangement which will come into effect only after July, 1976, to say that the package has been broken now and, therefore, you take away the other components of the package also, is in my view wilfully misunderstanding what is the scope of the Bill and trying to confuse the issues. This is the first point that I want to make.

Another point was made as to for whose benefit this is going to be done. Naturally, this is for the benefit of the share-holders. As was pointed out by the hon. Member, on this side, it is not as if all the share-holders are millionaries. Even in the monopoly houses, the percentage of shares held by the management as such or the monopoly houses as such is always limited. It is rather unfortunate that with a limited holding. It is rather unfortunate that with a limited holding, they are able to have a stranglehold on the entire company. That is a different thing altogether. There are millions of share-holders, small shareholders, who depend on this income also and that is why if it goes to the benefit of the share-holders, it does not mean that it always goes to the benefit of the richer individuals. If you take the monopoly houses as re-

ferring to the companies, there is nothing like that. Ultimately, when the dividend is declared, it goes to the individuals as such and those individuals are not necessarily big people. A large number of smaller people are involved in it. Therefore, if there is any advantage, it goes to the advantage of the smaller share-holders also who are much more in number than richer people.

Another question that has been put by Mr. Chatterjee is: Is this going to improve industrial production? The point for consideration is this. The industrial production has to take place with the existing investment. We have dealt with that aspect, with regard to the deficiencies, during the General Budget debate; we have dealt with it when we discussed the Demands relating to the Ministry of Industry and we have dealt with, to a certain extent, when we discussed the Finance Bill also. Therefore, I do not want to go back on all the arguments which were advanced for the purpose of improving industrial production. Whatever necessary steps are possible are being taken for the purpose of improving production with the existing investment.

What we are now concerned with is not merely the present production. There has got to be increased production and that increased production can take place only with increased investment taking place. Unfortunately, new investments are not taking place today and, as has been pointed out by Shri Mavalankar, new investments should not suffer by this. The monopoly houses, particularly the bigger houses are able to get their shares subscribed somehow or other because they have the capacity. Today, who is suffering? It is only the new entrepreneurs, the medium entrepreneurs, the small scale entrepreneurs who are not able to get capital for floating their companies and who want to make new investments. Therefore, when I say that we will have to improve the atmosphere and the climate of investment, it is not for the benefit of the larger monopoly houses because, in my view, whatever be the atmosphere, once they make up thier minds, they are able to find the capital and go forward. Therefore, when I say that we have to improve the climate of investment, it is mainly for the medium entrepreneurs, the small entrepreneurs and new entrepreneurs. It is from that point of view that I am hoping this measure will improve the climate to a certain extent, in that it will provide finance to the capital market. It is from that aspect that we will have to look at it.

Then, a question was put as to what happens to the money which is left with the company and how this money was being utilised—whether it is used for the purpose of modernising the existing plants and for the purpose of making new investments. In certain cases this might have happened; in many cases it might not have happened. But we have taken this into account. Whenever bank credit is asked for, we take into account this money of the shareholders or of the company to be used as working capital during these two years. Therefore, for any extra credit they want for the purpose of increasing production, for making an assessment of the requirements of any particular company, we take into account this money of the shareholders which is available with a particular concern. Theerfore, to that extent, the bank credit also, and the resources available with the banks, will be utilised for that purpose—for the purpose of improving production in other areas.

Therefore, I would respectfully submit again that as far as the package is concerned, this cannot disturb that package at all. Whatever I am doing will be after this targetted date of July 1976, till then I have not disturbed the package. I am providing a certain method of distribution of this money after 1976. Therefore, to argue on that basis that the package has been broken and therefore to go back to the other things and say that dear-

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ness allowance should also be released now, bonus should also be released now and that additional wages should also be released now, is, in my view, a complete mis-understanding of the package and also the scope of this Bill. It is from this point of view that I have moved an amendment of this Bill and I hope and trust that it will help at least to the extent of improving the atmosphere for the new-comers, for the medium entrepreneurs and for the small-scale industries; to that extent at least I hope the capital market will improve and the investments for the purpose of building up the future of the country will also go up.

Naturally, I can very well understand the philosophy of the CPI(M) and also the CPI, because they have no faith in the private sector at all. It may be a very valid point but, as the Finance Minister, I have to deal with a situation where it is 'mixed economy'. There is a component of the private enterprise and a major component, may be, of the public sector enterprise. So long as the private enterprise forms a component of our industrial structure, they will have to produce more and they will therefore have to have more investments. Certainly, from that point of view, they would like to completely destroy the atmosphere so that there would be no investment at all in the private sector; but that will be going contrary to the objectives we have in mind. Therefore, it is not that I don't appreciate that point of view and it is not that I don't have any sympathy even for the ideology they represent, but that is a completely different thing. As Finance Minister, I have to take care of the existing economy in the present pattern of our industrial structure. Therefore, if they advocate that I should take measures for the purpose of completely destroying the private sector from growing, then certainly I am not able to agree with them, because that is not the objective, that is not our industrial policy today. In the Industrial Policy Resolution, 1956, by which some of our friends even now declare their faith, there is place both for the public sector and for the private sector. And as long as the private sector is allowed to continue, it is no use saying that we should create conditions in which they would not be able to function and grow. That means, to that extent, the economy also will get stunted and the whole community will have to suffer because there would not be any growth or development. This is the point of view which I would like to place before this House. If some of my hon. friends do not agree with this proposal, I very well appreciate it. Certainly they cannot agree with any measure which is likely to improve the climate for private enterprise. They are quite consistent, but I am also consistent as far as our point of view is concerned. From our point of view, this Bill goes to a certain extent, to clear the atmosphere.

SHRI BISHWANATH JHUNJHUNWALA (Chittorgarh): I would like to ask a simple question. The Finance Minister has said that the small entrepreneurs or middle class entrepreneurs would like to invest in shares. With such high interest rates existing now, who would like to invest in shares—when he is getting a return of 15 or 16 or 17 per cent in the fixed deposit with good companies? Only a fool will do it. Till the rate of interest is brought down by you, I hope that the Bill which you are taking into consideration will have no effect to revive the share market or revive the economy of the country; you will not find any support from any part of the investors to put their money in shares with indifferent policies of the Government all the time....

SHRI C. SUBRAMANIAM: I have understood your point. This may be a point of view, but this Bill does not deal with that aspect at all. Here we are concerned with a completely limited Bill with reference to restriction on the dividends. As a matter of fact,

even taking my hon. friend's argument to be correct, I am liberalising to a certain extent. There would be declaration of dividends and, therefore, there would be a greater attraction for shares. To that extent, it is in the right direction. I am not prepared to go into the other aspect, whether we should have this high rate of interest, dear money policy and so on. That is completely a different thing altogether. As far as this Bill is concerned, even according to the argument of the hon. Member, it is in the right direction. Perhaps he thinks that this alone will not do. But that is a different matter.

SHRI V. MAYAVAN (Chidambaram): The Tamil Nadu Government...

SHRI C. SUBRAMANIAM: I will reply. Even now there is a provision in the Income-Tax Act that upto an income of Rs. 3,000 by way of dividend, it is not taxable, particularly for the employees. If any employee is able to get to the extent of Rs. 3,000, he is not going to be taxed. But if it is going to be more than that, I am sure he is not just an employee but should be something more than an employee.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to amend the Companies (Temporary Restrictions on Dividends) Act, 1974, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: We take up clause-by-clause consideration. Clauses 2 and 3. The question is:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4. (Insertion of new section 5A).

Amendment Made

Page 2, line 19,—

for "without interest" *substitute*—

"together with interest due thereon at the rate of eight per cent per annum" (1)

(SHRI C. SUBRAMANIAM)

MR. DEPUTY-SPEAKER: The question is:

"That Clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

MR. DEPUTY-SPEAKER: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI C. SUBRAMANIAM: Sir, I move:

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was passed

15.40 hrs.

GOVERNMENT OF UNION TERRITORIES (AMENDMENT) BILL

MR DEPUTY-SPEAKER New we take up Government of Union Territories Amendment Bill.

THE MINISTER OF HOME AFFAIRS (SHRI K, BRAHMANANDA REDDY). Sir, I beg to move*.

"That the Bill further to amend the Government of Union Territories Act, 1963, the Representation of the People Act 1950 and the Representation of the People Act, 1951, and also to amend the North Eastern Council Act, 1971, be taken into consideration"

This House has kindly and almost unanimously passed the Constitution (Thirty seventh Amendment) Bill thereby approving in principle a Legislative Assembly and a Council of Ministers for Arunachal Pradesh. Subsequently, the President has also approved the Bill and it has received the assent of the President on 3rd May, 1975 While moving that Constitution (Amendment) Bill, I told the House about the administrative setup that is there in Arunachal Pradesh This Bill seeks to confer more powers on the representatives of the people so far as the day-to day administration is concerned as also to make laws falling within the State list. I submitted then that as at present there are five Zila Parishads in Arunachal Pradesh and the Vice-Presidents of those five Zila Parishads and three members elected from each Zila Parishad from among themselves plus three nominated members and one Member represented in this House and another Member represented in the other House, that is, Rajya Sabha along with the Administrator constitute the setup there. All these persons assist the Administrator in the day-to-day administration. Further, there are five Counsellors who are incharge of certain subjects and give advice and counsel to the Administrator and assist him in the administration.

15.44 hrs.

[SHRI VASANT SATHE *in the Chair*]

Sir, the proposition now is that in future we want to replace this present Pradesh Council by an elected body of 30 Members as in the case of other Union Territories like Goa, Daman, and Diu, Pondicherry, and Mizoram. Through this Bill, we also want to give representation to two elected Members of Arunachal Pradesh in Lok Sabha As at present, there is one Member representing Arunachal Pradesh, who is nominated, We want to give two representatives to Arunachal Pradesh, because I have already submitted and I am submitting just now, Arunachal Pradesh has a vest area, It has about 83,000 square kilometres and, therefore, we felt that it was necessary that this vast area should have at least two elected representatives in the House of Peoples here And, at the same time, instead of the nominated Member in the Rajya Sabha, there will be an elected Member to the Rajya Sabha elected by the future legislature which will come into being, but the present Member in the Rajya Sabha will continue until his term expires in 1978 or so.

Now, there is another aspect, namely, that as in the case of Mizoram, so in the case of Arunachal Pradesh also, the Administrator will have a special responsibility so far as the security of the border is concerned. The existing Pradesh Council will continue until the delimitation work is over and a fresh Assembly gets elected and this Pradesh Council will continue as the provisional Legislative Assembly of the area.

There is another provision, namely, that at present the Administrator and a Counsellor, who is assisting the Administrator just now, are represented

*Moved with the recommendation of the President

in the North-Eastern Council and after this Bill is passed, the Administrator and the Chief Minister will represent.

These are the salient points of the Bill which are not controversial in any manner and I hope this will receive the assent of this House as it received when I moved the 37th Constitution Amendment Bill.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Government of Union Territories Act, 1963, the Representation of the People Act, 1950 and the Representation of the People Act, 1951, and also to amend the North Eastern Council Act, 1971, be taken into consideration."

SHRI DASARATHA DEB (Tripura East): First I welcome this Bill because the people of that part had been agitating for a long time to have a popular form of government and this should have been done much earlier. And it took the Government 28 years to consider the necessity of having such a type of responsible and popular form of government in that part of the country. It should have been done much earlier. When the re-organization of States was done on linguistic basis, it should have been done at that time. That itself indicates that the Government is very much reluctant and hesitant to concede the legitimate demands of the small nationalities living in the entire north-eastern region, Because these people are very backward and very small in size, their voice is not so strong enough to be heard at the Centre. That is why they have diliberately delayed or denied these rights to these people for a long time. I am happy at least now they have realised the necessity of giving a legislative assembly and a Council of Ministers to Arunachal Pradesh.

In the beginning I said that the legitimate demands of the small groups and nationalities, particularly, the tribal people were denied by the Centre for the last 28 years. Our experience is that in Nagland they had to agitate to have a separate Nagaland and there was a lot of bloodshed and the Government in the beginning was very reluctant, but, ultimately, after a long time and much bloodshed, they had to concede Nagaland. Same is the case with Meghalaya where also there was a big agitation, firing and bloodshed and even the Government said, 'No, we won't concede your demand'.

But, ultimately, they have conceded. So, it indicates that the approach of the Central Government towards the small nation, particularly the tribal people in the eastern region was basically wrong in the beginning Still it is defective. They do not realise the importance of the aspirations of the tribal people yet. In this regard there is a movement now in Mizoram also. They demand statehood. Arunachal Pradesh people are demanding statehood But Government does not concede that demand even today. I ask the Government not to repeat the mistakes committed by them. When they are conceding the demand of a legislative assembly for Arunachal Pradesh, I ask the Government to go further. They should give statehood to Arunachal Pradesh and also to Mizoram. By conceding the demands, the aspirations of the small nation—the tribal people—our integration will be strengthened. If their legitimate demands are accepted by the Central Government and if they get proper treatment at the hands of the Centre, there will be no feeling of hostility. People are bound to think that they are one with India and they will try their best to be one with India and there will not only be emotional integration, but national integration also and that good climate would be in their part of the country.

Even the Home Minister says that the Administrator has got certain special responsibility so far as security is concerned. That means that the Central Government has got more confidence in the officials than the elected people of India—Council of

[Shri Dasaratha Deb]

Ministers This responsibility must go to the Council of Ministers and not to the Administrator. Ultimately, the people the real force to protect our country If the elected representatives—Council of Ministers—are not taken into confidence by the Central Government and for security purposes if they want to give special power to the Administrator, then I think it is not correct because it shows that still you have some doubts in the people You have to rely on the people and not in an individual

In the other House, Members from Arunachal Pradesh complained, Government spent money and roads were constructed in certain parts. These are very good roads but civilian population is not allowed to use the roads. These roads are meant only for the Armed Forces, for military and for security forces There should be some precaution, I do not mind it. But at the same time, why these roads are not being allowed to be used by the civilian population, I want to know? They should use them That means, some climate is there that people are not taken into confidence This should not be so You must take these people into confidence. Otherwise we cannot strengthen our security forces and border protection forces That is why this special power to the Administrator should not be there It must be given to the Council of Ministers I believe that Council of Ministers will be composed of responsible persons and they will take all steps to protect this area and to look after the security forces Not only that In respect of other areas also Government should think of giving greater autonomy Greater autonomy to the States must be given At present not only in regard to Union Territory, but in respect of States, powers and autonomy are very limited and they have got very little scope to do whatever improvements they like That is why I ask the Home Minister and his Cabinet also to think over the matter and extend greater autonomy to the States also.

I am very happy that ultimately these people of Arunachal Pradesh will have Legislative Assembly. I urge upon the hon. Minister that this Act should be implemented immediately

श्री रामावतार शास्त्री (पटना) सभापति महोदय, संघ राज्य क्षेत्र अधिनियम, 1963, लोक प्रतिनिधित्व अधिनियम, 1950 तथा लोक प्रतिनिधित्व अधिनियम, 1951 मे और संशोधन करने सम्बन्धी विधेयक पर अभी हम विचार कर रहे है । मैं भी इस विधेयक का स्वागत करते हुए दो तीन बातो की तरफ सरकार का ध्यान खीचना चाहता हू ।

सब से पहली बात मै यह कहना चाहता हू कि सरकार यहा तक गई है और उसने यह ठीक ही किया है कि वहा पर विधान सभा की स्थापना वह जनता के चुनाव के जरिए करने जा रही है । इस के साथ ही लोक सभा मे उन के सदस्यो की सख्या एक से बढा कर दो वह करना चाहती है और उन दोनो सदस्यो का चुनाव वह जनता से करवाना चाहती है । विधान सभा के चुनाव होने के पहले चुनाव-क्षेत्रो का परिसीमन करने की बात सरकार इस विधेयक मे कह रही है । ये बातें तो सही है लेकिन जैसा कि मेरे से पूर्व के वक्ता ने अभी बताया कि आप को इस मे आगे जाना चाहिए । हमारे देश मे केन्द्र शासित कुछ राज्य हैं जिन मे से उन्होने मिजोरम का नाम लिया और अरुणाचल प्रदेश के सिलसिले मे अभी हम विचार कर रहे हैं, इस के अलावा पाडिचेरी जैसे इस तरह के कुछ राज्य हैं जिनको

पूरे राज्य का दर्जा देना अति आवश्यक है। पता नहीं, सरकार अभी भी इनको राज्य का दर्जा देने से क्यों हिचकिचा रही है। या तो सरकार को अपने ऊपर विश्वास नहीं है या सरकार को वहां की जनता के ऊपर विश्वास नहीं है। अब समय आ गया है कि आप जनता पर पूरा पूरा विश्वास करके शासन व्यवस्था का भार उनके हाथों में सौंप दें। तो मैं भी इस मांग का समर्थन करता हूं कि यहां से कुछ आगे बढ़ कर इस तरह के केन्द्र शासित क्षेत्रों को आप को पूरे राज्य का दर्जा देना चाहिए।

16.00 hrs.

दूसरी बात यह है कि आप विधान सभा की स्थापना कर रहे हैं। मंत्री परिषद् की स्थापना होगी जो जनता के चुने हुए प्रतिनिधि होंगे, लेकिन उन के सिर पर आप एक प्रशासक को यानी नौकरशाह को थोपना चाहते हैं, ताकि उन दोनों में झगड़ा होता रहे और उस इलाके की जनता के विकास के कामों से नुकसान हो। आप कहते हैं कि प्रदेश के विकास और उसकी सुरक्षा में प्रशासक सहायक बनेगा। आपको याद होगा और हम में से भी बहुत से माननीय सदस्यों को याद होगा कि 1962 में जब चीन ने हमारे देश पर हमला किया था तब तेजपुर तक उनकी फौजें बढ़ती चली आई थीं और वहां के बड़े-बड़े अफसर जिन पर आप उम्मीद लगाए बैठे थे भाग खड़े हुए थे, जब कि वहां की जनता ने बहादुरी के साथ हिम्मत के साथ चीनियों का मुकाबला किया था, वह डटी रही है देश की हिफाजत के लिए। आप प्रशासक की और अफसरों की बात करते हैं कि वे देश की हिफाजत करेंगे और देखेंगे कि काम काज सही चले। लेकिन अनुभव यह बताता है कि अफसर या नौकरशाह या देश के बड़े बड़े धन्नासेठ जब मुल्क पर मुसीबत आती है, कोई विदेशी आक्रमण होता है तो भाग खड़े होते हैं और जो सही मानों में जनता है वही जनता मुल्क की हिफाजत करती है। मैं चाहता हूं कि प्रशासक की व्यवस्था न करके पूरे के पूरे अधिकार आप मंत्रिपरिषद् को दें ताकि वह लोगों के पिछड़ेपन को दूर कर सके। वह इलाका एक संवेदनशील इलाका है, सीमावी प्रदेश है। वहां की जनता के पिछड़ेपन को अगर हम दूर नहीं करेंगे, उनकी जो मांगे है उनको हम पूरा नहीं करेंगे, उनका असन्तोष दूर नहीं करेंगे तो हमारे दुश्मन भीतरी और बाहरी दोनों उसका इस्तेमाल करके हमारी ताकत को कमजोर करेंगे। मैं चाहता हूं कि उनके आर्थिक विकास में सरकार सहायक बने।

अब मैं परिसीमन के सिलसिले में कुछ कहना चाहता हूं। यह बड़ी अच्छी चीज है। ज्योग्रेफिकल कम्पैक्टनैस, भौगोलिक दृष्टि से तमाम इलाके एक निर्वाचित क्षेत्र में सटे हुए होने चाहिए। और भी बहुत से मापदंड आपने रखे हैं। कुछ राज्यों में निर्वाचन क्षेत्रों का परिसीमन हो रहा है। मेरे राज्य में भी हो रहा है। अपने यहां की बात मैं जानता हूं। मेरे क्षेत्र में कम्पैक्टनैस को छोड़ करके, लगातार कोई एरिया है या नहीं, इस सिद्धान्त की छोड़ करके बहुत दूर के एक दो क्षेत्रों को ले लिया गया है एक निर्वाचन

[श्री रामावतार शास्त्री]

क्षेत्र में। अब एक क्षेत्र से घुस कर दूसरे क्षेत्र को जाना पड़ेगा। ऐसा नहीं होना चाहिए। भौगोलिक दृष्टिकोण से इलाका कम्पैक्ट होना चाहिए, कंटिगुअस होना चाहिए, लगातार होना चाहिए। अभी ऐसा हो गया है कि एक क्षेत्र के बीच में दूसरा आ गया है और दूर का तीसरा क्षेत्र उसके साथ जोड़ दिया गया है। यह नहीं होना चाहिए। परिसीमन का जो सिद्धान्त आपने बनाया है उसी के अनुसार काम होना चाहिए। इस मामले में पैरवी के लिए कोई स्थान नहीं होना चाहिए। कुछ पैरवी करके जिस में उनको लाभ होता है क्षेत्रों को बनवा लेते हैं और इसका ननीजा यह होता है कि दूसरों को सहूलियत नहीं मिल पाती है। दूसरों की सहूलियत वे नहीं देखते हैं। परिसीमन करते वक्त आपने जो सिद्धान्त निर्धारित किए हैं, चुनाव कानून में जो सिद्धान्त है तथा दूसरे कानूनों में व्यवस्थाये है उनका पालन करें।

इस विधेयक का समर्थन करते हुए मैं निवेदन करना चाहता हूं कि जो इस में खामियां रह गई हैं उनको आप दूर करें ताकि वहां की जनता को और ज्यादा विश्वास हो कि अब हमारे दुश्मन उसका इस्तेमाल करके हमारी एकता को तोड़ नहीं सकेंगे। यही मुझे निवेदन करना है।

SHRI DINESH CHANDRA GOSWAMI (Gauhati): Mr. Chairman, Sir, I take my stand here to support this Bill. In fact, support is bound to come from every section because, this is only a follow-up measure of the Thirty-seventh Constitution (Amendment) Bill which this House passed unanimously. But, I, for one, expected that while we will be debating this Bill, some more interest would be shown by the Members. Though the North-East Frontier Agency, as it was then called, or, the present Arunachal Pradesh, is an exclusive territory to a certain extent, yet nobody can deny its strategic importance Sir, this is a territory through which runs the most direct route from Lhasa to India. This is one of the easiest invasion route from Tibet to the Brahmaputra valley. In fact, this was one of the territories comparatively unknown to the rest of this country, but became famous in 1962 when the Chinese marched into the Indian territory by this route.

Now, two criticisms have been levelled against this Bill by Mr. Dasaratha Deb and Mr. Ramavatar Shastri. Their criticisms are. Firstly, that the democratic urges of the people ought to have been satisfied long back; and secondly, the administrator ought not to have been given greater power within this democratic structure. I think both these criticisms are not tenable. It is true that all territories of our country should be given democratic rights and their democratic urges should be fulfilled as early as possible. But nobody can deny that these territories with various divisions of tribal communities, economic backwardness and so on and so forth were not prepared for a complete institutional change given for quite some time.

In fact, today my mind goes back to one of the most prominent Members of that region, Mr. D. Ering.

who was a member of this House and who for the first time raised this question of giving more democratic rights to the people. As early as in 1963, it was Mr. Ering who brought to the notice of the Prime Minister, Shri Jawaharlal Nehru, the necessity of making various changes to fulfil the democratic urges of the people and, in fact, it is because of his initiative that later on Shri Lal Bahadur Shastri made a Commission which went into the matter and made certain changes in the administrative set-up of the entire territory. Even in 1963 when Mr. Ering asked this House and also wrote to the Prime Minister to make the necessary changes in the democratic foundations he did not ask for complete institutional change as we are trying to achieve today but only a limited change, almost something like a change to something like the Panchayat administration we have today. Therefore, the complaint that is made that this type of democratic urges ought to have been fulfilled long back is made by those who are not acquainted with the diverse problems facing that part of the country.

The second criticism that has been made of this Bill is that the administrator ought to have been given greater power. If the situation would have been such where one could have done away with the administrator or the task of governing that territory could have been left to the people then I would have been the first person who would have been very happy. But still we cannot shut our eyes to certain realities and the realities are that because of the backwardness and diversity uptill date it has prevented the emergence of leadership—eithtr traditional or modern—capable of welding numerous tribals into a cohesive political force in that territory. There are many tribes with various types of different cultures and different ways of life. They have got different urges and aspirations. They have also got certain inner conflicts amongst themselves. Obviously uptil now a leadership—either traditional or modern—has not developed which can create unity amongst all these forces to bring them into a cohesive political force with the result that if you do not give sufficient amount of power to an administrator these divisive forces may come into play and create serious administrative and other complications. After all, even in advanced states we have found how these divisive forces come into play and try to hit at the democratic foundations. In a sensitive territory like Arunachal, if a certain amount of power is not given to the Administrator, I have got my grave doubts that while trying to provide democratic rights, we may really create a climate where there may be a premature death of the rights themselves. Therefore, I feel that to that extent,—though in other areas, we will not support such a measure,—giving of certain powers to the administrator in Arunachal Pradesh, shall have to be viewed in that context. We should not also forget the other aspect of the matter that Arunachal is a very vulnerable zone. I have seen a report in the *Hindustan Standard* of 3rd May which says:

> "Move for Eastern Hill State at China's stance. A systematic coordination among the rebels and hostiles of Nagaland, Mizoram and Manipur, the Chakmas of the Chittagong Hill Tracts and the Chins and Kachins of Burma for forming a separate hill State is being encouraged by China from outside and the churches operating within the States of the North-Eastern Region. A Chinese recently came to Nagaland and met a number of Naga underground workers with a view to boosting their morale. China is also persuading the Naga rebels to form a government in exile in the Eastern Naga Revolutionary Council Area in Burma."

[Shri Desesh Chandra Goswami]

The report goes on to say:

> "The Indian authorities have positive information that China is actively encouraging the idea of formation of a Eastern Hill Region State by uniting the rebels and hostiles of Nagaland, Mizoram, Manipur, the Chittagong Hill Tracts and Burma. A systematic coordination among these elements, they are sure, has been stepped up after a secret meeting some time ago in Burma which was attended by, among others, some CIA men."

This makes a very serious reading. I hope the hon Minister will take this also into consideration and will throw some light as to whether these reports which are appearing in some of the very important newspapers are true. Sir, if a person with a certain amount of authority is not put there in that territory, to maintain a balance amongst the different tribes and sub-tribes, I have got my apprehension that powers hostile to us may try to play up the dissent of a particular group against another group when the democratic institutions go on functioning and that may create further complications. In that context, I feel that the argument advanced or the criticism levelled by Mr Dasaratha Deb has no basis Therefore, I support this Bill

Of course, when you are giving democratic rights to the people of this area, you have taken upon yourself the greater burden because if you want integration of Arunachal Pradesh with the rest of the country, the main necessity is the total development of that region and provision of greater infra-structure in that region Today, Arunachal Pradesh is completely isolated from the rest of the country and if a part remains in complete isolation how can we expect the forces of integration to play their role properly? I think one of the greatest tasks before the Government of India today is to bring about this real integration of the people of this area with the rest of the country. I hope the hon. Home Minister will look into this aspect of the matter.

With these observations, I lend my support to this Bill.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDAN REDDY): Sir, I am very thankful to the hon. Members who have participated in this debate, for giving their unqualified support to this Bill. Now, Sir, a point has been raised by Mr. Deb and Mr Shastri, namely, why not give full Statehood to Arunachal Pradesh? It is not a question of reluctance on our part or a question of having no confidence in the people. It has been made clear quite some time ago that Arunachal Pradesh will have a Legislative Assembly and a representative Government, namely, Council of Ministers As I said even earlier, on a previous occasion when the Constitution Amendment Bill was being discussed, I had been to this area, seen three districts, saw the people, spoke to them and their representatives

Therefore, it is a question of progressively associating the people with the administration As you know, in 1967, the Panchayat Raj regulation came into force, early in 1972 Union Territory status was given and later in 1972 the Pradesh Council etc and the system of Counsellors advising the Administrator was set up. During this period of roughly three-years performance, it has given us confidence that they will be able to administor their affairs in a proper manner. It has also been represented not only here but even in the area by the representatives of several people that it would be in the interest of the territory and the country if an elected Assembly comes into being and a representative government also is formed there.

As I have submitted just now, this is progressive association of the people of Arunachal Pradesh with the adminnistration, Panchayat Raj regulation in 1967, Union Territory status

early in 1972, then late in 1972 the institution of the Pradesh Council and the system of Counsellors advising the Adminnistrator.

Therefore, let us see. After all, they will have to get their statehood sooner or later; I am sure in due course of time, as in the case of Mizoram also, that aspect will be considered—at the appropriate time.

Shri Deb also made the point that some roads are not allowed for civilian traffic. I think it is incorrect to say that. All roads are open to traffic both by civilians as well as others.

Regarding the special powers of the Governor, it is not, as I have submitted, a question of not having confidence in the people. Of course, we have to have confidence in the people, but the area has about 1300 kms. of international boundary and the defence of the country is the responsibility of the Central Government. Therefore, it becames wise for us to keep some power or some responsibility with the Administrator regarding the security of the border.

Shri Goswami also made the point about some information that is published. I do not want to go into that at this stage. But it becomes necessary for the Centre as well as the administration there to be careful about the activities of other elements which may be hostile to us.

As Shri Goswami has submitted, there are many tribes; there are about 20 big tribes and about 70 smaller tribes. It is necessary that they are brought into a sort of cohesiveness so that misunderstandings between them are reduced and they are able to function effectively as one unit.

So far as development is concerned, I had submitted even during the discussion of the Constitution Amendment Bill that progressively the money allotted for the development of Arunachal Pradesh has been increasing. Though it was roughly Rs. 20 crores for the Fifth Plan, the performance was much bigger, Rs. 21½ or encouraged us to indicate a plan of Rs. 22 crores. This has enthused and roughly Rs. 63 crores during the Fifth Plan. If something more becomes necessary, we have to see whether we would not give a helping hand. But at the present moment, about three times the size of the fourth plan is the indication about investment in the fifth plan. I can assure hon. members that we are aware that we will have to lend a helping hand so far as the development of the area is concerned and we shall do so at the appropriate time when the need arises.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Government of Union Territories Act, 1963, the Representation of the People Act, 1950 and the Representation of the People Act, 1951, and also to amend the North Eastern Council Act, 1971, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We take up the clauses. There are no amendments.

The question is:

"That clauses 2 to 15 stand part of the Bill."

The motion was adopted.

Caauses 2 to 15 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI K. BRAHMANANDA REDDY. I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

16.22 hrs

ALL-INDIA SERVICES (AMENDMENT) BILL

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN) Sir, I beg to move*.

"That the Bill further to amend the All-India Services Act, 1951, as passed by Rajya Sabha, be taken into consideration"

As the House is aware, the All India Services Act, 1951, which has been enacted in pursuance of Article 312 of the Constitution, empowers the Central Government to make rules for regulating the recruitment and conditions of service, of the members of the All India Services The Act does not specifically provide that the rules so framed will have only prospective effect, nor does it expresssly state that no rules framed there under can be given retrospective effect It was, therefore, assumed that rules could also be framed retrospectively to meet the exigencies of certain unavoidable situations, Accordingly, whenever it was absolutely necessary, some of the rules were amended with retrospective effect However, in view of the opinion expressed by the Attorney General in connection with the Central Excise and Salt Act, 1944, we were advised that it would not be in order to give retrospective effect to subordinate legislation, unless the statute itself provided for such retrospective effect, either expressly, or by implication The practice of amending the rules retrospectively was then discontinued and the State Governments were advised suitably in February, 1971.

The opinion of the Attorney General was also accepted and reiterated by the Committee on Subordinate Legislation of the Rajya Sabha, in their Fifteenth Report. In that report, the Committee recommended that if in any particular case, the rules had to be given retrospective effect due to unavoidable circumstances, Government shrould take immediate action to clothe it with legal sanction. Again, the Committee on Subordinate Legislation (Fourth Lok Sabha) in its second report presented to Parliament also suggested that where rules have to be given retrospective effect due to unavoidable circumstances, a clarification should be given to the effect that no one will be adversely affected as a result of retrospective effect being given to such rules

It was decided to give effect to the recommendations of the Third Pay Commission concerning the All India Services, with regard to the revision of pay scales, death-cum-retirement benefits etc, from the same date as has been adopted for the Central Services, namely, 1st January 1973 This necessitated the amendment of the relevant rules with retrospective effect, because while the officials belonging to the services other than All India Services were given some of the revised benefits retrospectively from 1st January, 1973, it would have been an invidious distinction to deny similar benefits to the members of the All India Services In order to give effect to the recommendations of the Third Pay Commision as regards All India Services Officers, five notifications were issued having retrospective effect The matter was examined in detail, in consultation with the State Governments and the various authorities concerned It was felt that the Government should have the power to amend rules retrospectively, to meet such exigencies

In the present Bill, it is proposed to amend section 3 of the All India Services Act, 1951, so as to empower the Central Government to make rules with retrospective effect subject to the safeguard that no rule shall be made retrospectively so as to affect prejudicially the interests of any person. A provision has also been made in the Bill to give legal sanction to such existing rules as have been made with retrospective effect.

*Moved with the recommendationof the Presidtnt.

I commend the Bill for the consideration of the House.

MR. CHAIRMAN: As there are no speakers, I will put the consideration motion to the House.

The question is:

"That the Bill further to amend the All India Services Act, 1951, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We will now take up clause by clause consideration.

There are no amendments. The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

MR. CHAIRMAN: The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI F. H. MOHSIN: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted.

16.27 hrs.

FORMER SECRETARY OF STATE SERVICE OFFICERS (CONDITIONS OF SERVICE) AMENDMENT BILL

MR. CHAIRMAN: Now, we take up the Former Secretary of State Service Officers (Conditions of Service), (Amendment) Bill. Shri Mohsin.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I beg to move:*

"That the Bill to amend the Former Secretary of State Service Officers (Conditions of Service) Act, 1972, as passed by Rajya Sabha, be taken into consideration."

Section 8 of the Principal Act not only extinguished the right of the Former Secretary of State Service Officers to claim pension in sterling but also imposed a strtutory obligation on such officers to refund to the Government the pension drawn by them at a rate in excess of rate of rupees thirteen and one third to the pound sterling. This provision was made mainly to prevent certain retired I. C. S. Officers to claim higher pensions through courts after the devaluation of rupee. However, certain officers were entitled to higher rate of pension under the Civil Service Regulations. Because of the retrospective operation of Section 8 of the principal Act these officers not only lose heavily in their future pensions but are also required to refund excess pension drawn by them in the past for several years. The average age of these 9 officers is about 84 years. They deserve sympathetic consideration. A few retired officers who are foreigners, have been residing abroad prior to the 1st October, 1972. 3 of these officers have been receiving their pension in sterling through the High Commission India in London. The remaining few (according to the information available, their number is also 3) officers could not, however,

*Moved with the recommendation of the President.

[Shri F H Mobsin]

draw their pension in the sterling for one reason or the other but had continued to serve even after Independence Because of Section 8 of the principal Act none of these two categories of officers can get pension in sterling To mitigate the unintended hardships faced by these few persons, it is necessary to amend Section 8 of the principal Act The Bill contains the necessary consequential and incidental provisions

On the recommendations of the Third Central Pay Commission, the Government has liberalised the provisions regarding the date of retirement and retirement benefits etc for all categories of pensioners However on account of the provisions of the principal Act it is not possible to extend these benefits to the Former Secretary of State Service Officers Consequently it is necessary to amend the principal Act to allow these liberalised provisions to the Former Secretary of State Service Officers The Bill contains the necessary consequential and incidental provisions

I commend the Bill for the consideration of the House

SHRI JAGANNATH RAO (Chatrapur) What are the names of the officers who are put to difficulty?

SHRI F H MOHSIN There are 9 officers and one of them is dead

Their names are—

1 Shri I B Mundle

2 Shri Ram Chandra

3 Shri B K Gokhale

4 Shri C D Deshmukh

5 Shri C M Trivedi

6 Shri D E Reuben.

7 Shri K C Sen

8 Shri P S Rau

9 Shri P V Karamchandani

Out of these, Shri B K Gokhale died on 10-10-73 The former Secretary of State Service officers (foreigners) who have taken up permanent residence outside India are Shri Keith G Roy Shri G O Cooray and Shri Y R Parpia

MR CHAIRMAN The question is

'That the Bill to amend the Former Secretary of State Service Officers (Conditions of Service) Act,

1972 as passed by Rajya Sabha, be taken into consideration"

The motion was adopted.

MR CHA RMAN We will take up clause by clause consideration

The question is

That clauses 2 and 3 stand part of the Bill'

The motion was adopted.

Clauses 2 and 3 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI F H MOHSIN I beg to move

'That the Bill be passed"

MR CHAIRMAN The question is:

That the Bill be passed"

The motion was adopted.

16.33 hrs.

UNTOUCHABILITY (OFFENCES) AMENDMENT AND MISCELLANEOUS PROVISION BILL

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): I beg to move:*

"That the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, as reported by the Joint Committee, be taken into consideration."

The Untouchability (Offences) Act, 1955, has been in force for about 20 years. There has been criticism that the Act has not made as great an impact on the eradication of untouchability as could be desired. The matter was gone into by a Committee under the chairmanship of Shri Elayaperumal. On the basis of the recommendations of that Committee, an amending Bill was brought before this House in April, 1972.

The Bill, as originally introduced, provided for higher punishments for untouchability offences than that prescribed under the existing Act. It was also provided that offences should be made non-compoundable, that persons guilty of untouchability offences should be disqualified from contesting elections to the Central and State Legislatures. The scope of the Bill was also sought to be extended to privately owned temples which were in fact allowed to be used as places of public worship. Justification, whether on historical, philosophical or religious grounds, of the practice of untouchability was also sought to be made an offence.

The Bill was referred to a Joint Committee which has made a number of amendments enlarging the scope of the Bill with a view to making its provisions more effective. The Joint Committee has suggested the imposition of collective fines on the inhabitants of an area if they are concerned in, or have abetted, the commission of untouchability offences, or are harbouring persons who have committed such offences. Victims of the offences or innocent persons may, however, be exempted from the payment of such collective fines.

As quick disposal of cases under the Act would have a salutary effect, the Joint Committee has suggested that untouchability offences which involved a term of imprisonment not exceeding three months should be tried summarily Acts of reprisal or revenge against the person or property of anyone who exercises his rights arising out of the abolition of untouchability is being made punishable. Similarly, the Bill provides that it will be an offence to compel any person out of untouchability to do scavenging, sweeping, removing of carcasses, flaying of animals, removal of the umbilical cord or other jobs of a similar nature.

The Joint Committee has also suggested a special provision to the effect that the Central and State Governments should undertake appropriate measures to ensure that the rights flowing from the abolition of untouchability are availed of by the persons concerned. Such measures may include the provision of legal aid, appointment of special officers for initiation, supervision etc. of prosecutions under the Act, constitution of special courts, setting up of committees and the carrying out of periodical surveys. The Central Government is also to lay each year before Parliament a report on the measures undertaken by itself and

*Moved with the recommendation of the President.

[Shri Om Mehta]

the State Governments in pursuance of these provisions.

All these suggestions of the Joint Committee are commendable and would lead to a better enforcement of the provisions of the Act.

The Joint Committee has suggested that negligence in the investigation of untouchability offences and in giving effect to orders relating to reservation of posts for Scheduled Castes should be deemed to be abettors. So far as reservation in services is concerned, omission or failure to give effect to the reservation orders cannot be taken to amount to the practice of untouchability or the enforcement of any disability arising out of untouchability There will also be serious practical difficulties in giving effect to such a provision Again, mere negligence cannot be said to be an Act of abetment in law in the absence of a criminal intention on the part of a doer Negligence without any *mens rea* may not amount to abetment for purposes of criminal law Care must also be taken to ensure that police officers are not exposed to frivolous or vexatious criminal proceedings. We, therefore, propose to accept the Joint Committee's recommendation to the extent that only wilful negligence on the part of officers investigating untouchability offences will be deemed to be abetment and that prosecution in such cases should be launched only after obtaining the prior permission of Government.

Untouchability is a great blot on our civilization and culture The provisions in the Bill will help in curbing this evil to a very great extent The important thing is to ensure proper enforcement. In August, 1973 the Prime Minister wrote to all the Chief Ministers to set up Cells under their personal supervision to look into the grievances of Scheduled Castes, Scheduled Tribes and other minorities. Such Cells have been set up in a number of States. We are also considering what further steps will be necessary to eradicate this evil and how the existing machinery should be strengthened with a view to better implement of the provisions of the Act. Mere law, however, will not end this evil It requires strenuous efforts on the part of every citizen. Voluntary organisations and Members of Parliament and State Legislatures can do much to bring about the change of heart which is so essential in eradicating this evil.

So, I commend this Bill for the consideration of the House

MR CHAIRMAN: Motion moved:

"That the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, as reported by the Joint Committee, be taken into consideration"

*SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr Chairman, Sir, the Untouchability (Offences) Amendment and Miscellaneous Provision Bill, 1972 which has been brought forth to amend the Untouchability (Offences) Act, 1955 is only a half hearted step. It is not a well thought bill You are aware, Sir, that even after 27 years of independence the Scheduled Castes and Scheduled Tribes and the harijans have not yet been able to be free from untouchability In fact they are even today deprived of human rights. Our Constitution provides for equal rights and human rights but about 20 per cent of our population belonging to the Scheduled Castes, Scheduled Tribes and other depressed classes are totally deprived of this Constitutional rights. All these rights are actually denied to them. Even this amendment Bill fails to give equal social rights to exploited people belonging to the the multitude of downtrodden and Scheduled Castes and Scheduled

*The original speech was delivered in Bangali.

Tribes. This large number of people belonging to the so called low castes are denied even basic citizenship rights as available to other classes of people. Therefore I say that this Bill has been brought forth in a half-hearted manner. The parent Act of 1955 and the majority report of the Joint Committee have failed to properly define the term "Untouchability". The hon. Minister Shri Om Mehta also did not properly define this term. "Untouchability" in his speech while introducing the Bill. The actual concept of this term has not been properly defined anywhere. Unless this term "Untouchability" is properly defined, it is not possible to award punishment for offences under this Act. I hope that the hon. Minister will place before this House the actual definition and concept of the term "Untouchability" in his reply to this debate. It is true that these people are being exploited and oppressed as a result of existing traditions in this country which go back to over thousand years. Nonetheless, it is a matter of great shame for this country. The people who are being oppressed and exploited are really the people who are producing the wealth for our country. They are the share croppers, the landless agricultural labour, the petty agriculturists who are producing food for our country and feeding the entire nation. They are the hard working people, they are the labouring people who are producing wealth for the country with the sweat of their brow but they are deprived of the social rights, the human rights and even democratic rights. The Congress Ministers and the Prime Minister proclaim before the world that our country is the biggest democracy in the world. But actually a huge mass of our population are deprived of equal rights, social rights and democratic rights. When all these hard working people are deprived of such rights then I think that they have no right to claim that India is the biggest democracy in the world. This is a matter of great shame for us. The ovpressed and exploited people not only belong to the agricultural sector in rural areas but they are also keeping the wheels of our industries running and the wheels of our railways moving. The people who perform all such work without which the factories cannot work and the Railways cannot run, *e.g.* the gangmen etc. mostly belong to the Scheduled Castes and Scheduled Tribes. Most of the labour force in the jute mills, the textile mills, the engineering industries etc. belong to the Scheduled Castes and Scheduled Tribes. In Delhi also which is the capital of India, the construction labour who are constructing huge sky scrappers and multi-storeyed buildings and helping to keep the city clean mostly belong to the Scheduled Castes, Scheduled Tribes and other backward classes. But all human rights are denied to them.

Our society which is founded on feudalism and capitalism has created such an atmosphere of terror that the poor harijans do not dare even to lodge complaints with the police or other competent authorities when oppression and atrocities are committed upon them. When their wives or young daughters are molested and raped and even when some of them are murdered, they do not dare to go to the police. Such is the atmosphere prevailing in our demoniac society. These people are often the victims of injustice and atrocities but hardly a small fraction of them dare to lodge complaints. The feudal landlords and the owners of mills and construction companies terrorise them and the Government has failed to give protection to them whereby they could lodge complaints without fear. It is of primary importance to remove this atmosphere of awe and terror so that these poor oppressed people can fearlessly complain against the atrocities committed on them. A negligible percentage who dare to

[Shri Krishna Chandra Halder]

complain to the authorities, do not get justice. Their complaints are not properly registered or the culprits punished. This way even the meagre legal protection is denied to them Sometimes when their complaints are reluctantly registered, a nominal enquiry is held and the offenders in most cases are not apprehended Nothing can be more shameful and sorrowful.

The report of the Commissioner for Scheduled Castes and Scheduled Tribes prove that even after 27 years of independence the problem of untouchability has not been solved to any significant extent The impact on our society in this regard has been nil. There has been no progress towards eradication of untouchability The Government should take appropriate steps for this In Punjab it has been seen that between 1969 and June 1972, fifteen cases were filed under the Untouchability Offences Act But only in two cases the offenders were convicted Therefore I am afraid that the way in which the Government is proceeding in the matter and the way in which the various legal agencies are functioning it is not proving at all helpful to the people of Scheduled Castes, Scheduled Tribes, Harijans etc The great leader of our freedom struggle, Mahatma Gandhi also struggled throughout his life, with great sincerity, for the emancipation of these down-trodden people known as Harijans. He devoted his life to see that untouchability was eradicated and these poor classes of people got social rights and social justice Side by side his political struggle, be carried on this struggle also He tried to see that the Harijans were allowed entry in the temples and places of worship along with the caste Hindus and that they were allowed entry in hotels, restaurants etc His party i e the Conyress is in power today. They professed to follow the ideals of Mahatma Gandhi but it is regretable that even in temples managed by the Government the practice of untouchability is prevalent. The Congress Government has failed to give equal rights to these low class people so far as entry into temples managed by the Government itself. I will like the hon. Minister to explain this situation You are aware, Sir, how atrocities are being openly perpetrated on the harijans and the Scheduled Castes people in the States of U.P. Bihar, Andhra Pradesh, Tamilnadu, Karnataka etc. In Banda district alone we have seen what sort of atrocities have been committed on the harijans Even their women folk have not been spread. The harijans women have been molested and exploited I do not want to go in the detail of these cases as they have been brought to the notice of this House many times. A few days ago the incident was discussed in this House where over hundred harijans were killed and entire harijan village was burnt to ashes. I will draw the attention of the hon. Minister to an incident in West Bengal. It is good that Shri Mohsin is also present in the House. I will like the Government to inquire about this incident from the West Bengal Government and let this House know the details thereof before the current session of Lok Sabha adjourns The incident took place on the 9th April, 1975 on this date in Putunda village of Burdwan district in West Bengal. Some people belonging to the higher castes forcibly carried away four harijans with them These poor harijans were confined in a room where they were beaten mercilessly. Many other atrocities were committed on them. As a result of merciless beating, two harijans, namely, Raghu aged 45 and Shukhal aged 30 died. The other two persons, namely, Muncsi Mandal and Manatha Karmakar were seriously injured and they had to be hospitalised. The police did not take any steps to provide protection to these people in spite of receiving complaints. A few days later having come to know of this grusome inci-

I myself phoned the Superintendent of Police, Burdwan. But he to did not pay heed to my complaint seriously. I want the hon. Home Minister to find out why the Police did not provide protection to these Scheduled Castes people. Inquiries may be made from the West Bengal Government urgently and this House may be informed about the details. It is surprising and regretable that the real culprits are still at large and no efforts has been made to arrest them. I hope the hon. Home Minister will take up this matter in right earnest with the State Government immediately. Sir, it is a matter of great shame that even 27 years after independence this sort of atmosphere prevails in the country wherein Scheduled Castes and Scheduled Tribes people are the victim of indescribale atrocities, their women folk are molested, raped and exploited in many other ways, they are murdered and the culprits are not apprehended and punished yet all the time the Government keep boasting about the progress made by this country, socialism democracy and what not.

Some time back the General Secretary of the CPI(M) Shri P. Sundarayya had sent a memorandum to the Prime Minister wherein he had listed hundreds of cases of atrocities committed against the harijans and tribals in Andhra Pradesh by the big landlords and the police it narrated the brutal actions by the police against horijans. But inspite of that no action has been taken to afford protection to these people on the other hand the incidents of such atrocities have actually increased. The Scheduled Castes and Scheduled Tribes people are the victims of two types of atrocities and injustice. Firstly they are victims of injustice by the society, secondly they are also victims of political injustice. These people are mostly poor agricultural labourers and share croppers and since they are uniting and agitating against the feudal landlords for their due rights, atrocities are being committed on them. To day they are raising a struggle against the feudal land system and this is not liked by the upper classes and moneyed classes It will not be possible to give proper justice to them unless basic socio-economic structure is changed. Total and revolutionary land reforms has to be undertaken. They are being exploited by the feudalistic landlords under the present land system. The Scheduled Castes and Scheduled Tribes people are now raising their voice against this age old exploitation. They are demanding a share in the land and they are struggling for economic betterment. This can be given to them only through extensive land reforms. They must get ownership of the land they till. Atrocities are being committed on these people not only by the caste Hindus but since they are agitating for share in the land and they struggling for their rights and thus embarking upon a class struggle they are victims of atrocities by the moneyed classes who control the major portion of the land in the country today. We will not be able to do justice to these Scheduled Castes and Scheduled Tribes people by amending this Act. So long as there is not any revolutionary change in the socio-economic and political structure of the country, real justice cannot be given to them. Abolition of untouchability is possible only by abolishing the present socio-economic system which breeds exploitation of man by man. Therefore I demand that radical land reforms should be undertaken without any more delay.

The actual tillers must get the right to own land. All those who do not till the land themselves, who do not labour on the land, have no right to own land. Land is the key link in the emancipation of Scheduled Castes and Tribes. The ownership of land in the rural community enhances social

[Shri Krishna Chandra Halder]

status and economic independence and reduces the chance of social oppression Unless the monopoly hold of the landlord both capitalist a landlord and feudal landlord on the agricul tural land in the country is broken through radical land reforms and the surplus land is distributed to landless agricultural workers an] poor peasants, social oppression and practice of un touchability cannot be effectively curbed In the industries also the working classes belonging mostly to the Scheduled Castes and Tribes can not get social justice and equal rights unless all the monopolistic industries and the foreign companies and monopoly houses are nationalised The atmosphere of exploitation of the poor workers in these big industries and monopoly houses must be checked so that the poor workers may be free from economic exploitation and are able to get social justice All the penal provisions in this respect are on paper only and they are not being effectively implemented Our Constitution must give them the right to work Unless this is done and there is a marked improvement in their economic status they can never hope to get justice The traditional caste structure has been modified by the super imposition of class exploitation This must be curbed (*Interruptions*) As I was saying Sir unless we provide economic independence to these down trodden poor people through constitutional provisions we cannot hope to change the situation significantly The system of exploitation must be stopped Our Constitution must be suitably amended to provide for "right to work" to these exploited people In conclusion I would like to say that these down trodden oppressed and much exploited masses of people belonging to the Scheduled Castes and Scheduled Tribes who have been the victims of age-old exploitation have now reached the end of their endurance. They will now units together and embark upon a keen class struggle with a view to snatch their just rights from the society If they fail to achieve their objective through democratic methods they will have to initiate struggle with other classes of people in the society to change the socio-economic structure They will be forced to undertake a keeper class struggle to end the present structure of society As I have already said they have reached the end of their endurance and they are prepared to undertake keen class struggle to gain their objective and whatever oppression and atrocities they may have to face from the society or the Government, they are prepared to face that to achieve their goal They will keep up the struggle against all odds till they are able to change the social structure and gain their just status and rights in a socialist society With these warnings, Sir I conclude my speech

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17 05 hrs

PAPERS LAID ON THE TABLE—*Contd*

DETAILED DEMANDS FOR GRANTS (NAGALAND) FOR 1975-76

MR CHAIRMAN Before the next speaker speaks I will call Shrimati Sushila Rohatgi to lay on the Table the Detailed Demands for Grants of the Government of Nagaland for the year 1975-76

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): With your permission, I beg to lay on the Table the Detailed Demands for Grants of the Government of Nagaland for the year 1975-76 [*Placed in Library See* No. LT- 9629/75].

17.07 hrs.

UNTOUCHABILITY (OFFENCES) AMENDMENT AND MISCELLANEOUS PROVISION BILL—Contd.

श्री साधु राम (फिल्लौर) : सभापति महोदय, आज हमारे सामने अनटचेबिलिटी (आफन्सेज) एमेंडमेंट एण्ड मिसलेनियस प्रोविजन बिल है। अनटचेबिलिटी हमारे देश में एक ऐसा बड़ा कलंक है, जिस की आज तक धोया नहीं गया और हिन्दू समाज में अनटचेबिलिटी देख कर दूसरे मजहबों में भी यह फैल गया।

17.09 hrs.

[SHRI DINESH CHANDRA GOSWAMI *in the Chair*]

अनटचेबिलिटी बनाने वाले लोगों ने पता नहीं किस ख्याल से यह अनटचेबिलिटी पैदा की, इस की हिस्ट्री में जाने की जरूरत नहीं है, लेकिन बहुत मोटी सी बात है कि इन्सान की जात में कोई फ़र्क तो नजर नहीं आता, आत्मा सब में मौजूद है। तो हिन्दू समाज के लोगों ने अनटचेबिलिटी को पैदा किया और उन्होंने क्या फ़र्क देख कर यह बात पैदा की, यह समझ में नहीं आता, लेकिन बदकिस्मती की बात यह है कि हमारे देश में इन बातों को शास्त्रों में दर्ज कर दिया गया है और अनटचेबिलिटी आज तक चली आ रही है और हजारों सालों से इस देश के करोड़ों बाशिन्दे, इस मुल्क में बसने वाले लोग, अनटचेबिलिटी के शिकार होते रहे हैं और हो रहे हैं। अंग्रेजों, मुसलमानों और सिखों के राज में अनटचेबिलिटी को मिटाया नहीं गया। कांग्रेस का राज आने के बाद और महात्मा गांधी की कोशिश के बावजूद भी यह मिट नहीं पाया है। पार्लियामेंट में कुछ बिल आने शुरू हुए लेकिन कोई खास फायदा इसका भी नहीं हुआ। अनटचेबिलिटी आफेंसिस ऐक्ट 1955 काफी देर से चला आ रहा है। लेकिन फिर भी देश भर में हाहाकार मचा हुआ है कि आज यहां हरिजनों को मारा जा रहा है, यहां यह हो रहा है और वहां वह हो रहा है। इसके तहत स्टेट गवर्नमेंटस कोई सख्त एक्शन नहीं लेती हैं। सभी लोग, चाहे वे किसी भी पार्टी से ताल्लुक रखते हों अगर वे इस को हटाना चाहें तो हटा सकते हैं। लेकिन हरिजनों की बदकिस्मती है ऐसा नहीं हो सका है। हमारी सैक्युलर गवर्नमेंट है। हमारे यहां डैमोक्रेसी है। वोट का राज है। शैड्यूल्ड कास्ट के वोट से ही राज चलता है, हर एक स्टेट में काम होता है क्योंकि बैलेंस आफ पावर इनके हाथ में है। एक चौथाई हिस्सा इनका है। इनके वोटस से ही हमेशा असेम्बलियों में या पार्लियामेंट में किसी पार्टी की मेजोरिटी बनती है। लेकिन बदकिस्मती की बात यह है कि इतना होने पर भी इनका सुधार इन सालों में नहीं हुआ है।

सभापति महोदय, इस बिल को ज्वायंट कमेटी के सुपुर्द किया गया था। वहां से यहां यह पेश किया गया। इस में ढाई साल लग गए। शैड्यूल्ड कास्ट कमिश्नर की नियुक्ति राष्ट्रपति करते हैं। वह हर साल अपनी रिपोर्ट पेश करते हैं। कई सालों की उनकी रिपोर्ट पड़ी हुई है लेकिन उनको डिसकस करने का पार्लियामेंट के पास वक्त नहीं होता है। देश का एक तिहाई या एक चौथाई हिस्सा इस तरह से कुचला जा रहा है, बरबाद किया जा रहा है। कई बार उसको डिसकस करने की मांग की जा चुकी है लेकिन उस मांग को इगनोर कर दिया गया है, उसको निगलैक्ट कर दिया जाता है। परमात्मा ने कोई जातपात नहीं बनाई। तब क्यों गवर्नमेंट इसको हटा नहीं सकती है। उसको चाहिए कि वह सख्त कदम इसको हटाने के लिए उठाए। चूंकि वह इसको हटा नहीं सकी है इससे पता चलता है कि या तो उसकी ताकत कमजोर है, उसमें ताकत नहीं

[श्री माधू राम]

है या वह इसको हटाना नहीं चाहती है दिल से, अफसर दिल से इसको हटाना नहीं चाहते हैं। इन लोगों पर जुल्म होते हैं, तशद्दुद होता है, ना इनाफिया होती है, कोई देखता नहीं है। जहां कहीं ऐसा ही गवर्नमैंट को सख्त एक्शन लेना चाहिये। अगर स्टेट गवर्नमेंट इस ओर ध्यान नहीं देती है तो चीफ मिनिस्टर्ज की ताड़ना करनी चाहिये यह प्राविजन भी कर दिया जाना चाहिये कि हर स्टेट का जो होम मिनिस्टर होगा वह शैड्यूल्ड कास्ट का होगा। साथ ही पचास परसेंट पुलिस में भरती शैड्यूल्ड कास्ट्स में से की जाए या उनको कुछ रियायतें दी जाएं। तभी अनटचेबिलिटी को सख्ती बरत कर दूर किया जा सकेगा। स्टेट गवर्नमैंट्स इसको मामूली सी बात समझ कर कोई एक्शन नहीं लेती है। गाजीपुर में जो कुछ हुआ है वह आपके सामने है। मैंने बिजिनेस एडवाइजरी कमेटी में पेश हो कर इसके बारे में अर्ज किया था। वहां मुझे यह जवाब दिया गया कि अनटचेबिलिटी आफेंसिस बिल आ रहा है, तब आप बोल लेना। मेरा कहने का मतलब यह है कि इस मामले में कोई इम्पोर्टेंस नहीं दी गई है। मामूली सी बात अगर देश में हो जाए तो उसको डिसकस करने का पार्लियामेंट मौका निकाल लेती है और उसको वह मिल जाता है। लेकिन शैड्यूल्ड कास्ट मारे जाएं, पार्लियामेंट के पास वक्त नहीं होता है कि उनको वह डिसकस कर सके।

जातपात के मसले को अगर आप मिटाना चाहते हैं तो गवर्नमेंट तथा वालेंटरी आर्गेनाइजेशन मिल कर ऐसा कर सकती है। लेकिन इसके अनुकूल देश में वातावरण पैदा नहीं हुआ है। कुछ लोग फिरकापरस्ती की आड़ में गरीब हरिजनों पर आज भी जुल्म ढा रहे हैं। लेकिन गवर्नमेंट अपने आप को नाकारा समझती है और समझती है कि वह कुछ कर नहीं सकती है। मैं समझता हूं कि इन जुल्मों का मुकाबला करने के लिए शैड्यूल्ड कास्ट के लोगों को उठना पड़ेगा। पंद्रह करोड़ इनकी आबादी है और छः सात करोड़ के करीब शैड्यूल्ड ट्राइब्ज हैं। 22 करोड़ पर जुल्म और तशद्दुद हो या नाइन्साफी हो तो इसको बहुत देर तक बरदाश्त नहीं किया जा सकता है। गाजीपुर के बारे में तो स्टेटमेंट हो गया है। लेकिन कई और वाकयात होते हैं जिन का कहीं शुमार नहीं होता है, कहीं गिनती नहीं होती है। अगर एक साल के केसिस की गिनती की जाए तो वह सैकड़ों में जा कर निकलेंगी। अनटचेबिलिटी आफेंसिज एक्ट के तहत जो केसिस अदालतों में जाते हैं उन्हें कोई कामयाबी वहां नहीं मिलती है। मैं एक संस्था का जनरल सेक्रेटरी हूं। मेरे पास फिगर्ज है। मेरे पास रिपोर्ट भी आती रहती है। एक एक केस को अगर मैं पढ़ कर सुनाने लग जाऊं तो यह बहुत बड़ी फाइल बन जाएगी। ये सब जुल्म और तशद्दुद के केसिस है। इनको मैं पढ़ना शुरू कर दूं तो आप हैरान हो जाओगे।

महात्मा गांधी जो गुजरात में पैदा हुए थे और जो राष्ट्रपिता थे उन्होंने अनटचेबिलिटी के खिलाफ जिहाद खड़ा किया। उनसे पहले आर्यसमाज के कुछ धर्माचार्यों ने भी इसके खिलाफ आवाज उठाई। लेकिन कुछ ऐसे शास्त्र भी हैं जो अनटचेबिलिटी का प्रचार करते है। आपको तो मालूम ही है कि दो तीन साल पहले पुरी के शंकराचार्य ने वर्ण व्यवस्था को कायम रखने की वकालत की थी और शास्त्रों को हवाला दिया था। ऐसे शास्त्रों को बैन कर दिया जाना चाहिये और जातपात का प्रचार करने वालों को जेल में बन्द कर दिया जाना चाहिये और उनको सख्त से सख्त सजा दी जानी चाहिये। इसके बिना कैसे हो सकता है कि डेमोक्रेसी चलती रहे। हिन्दुस्तान को पाकिस्तान से खतरा नहीं है, चीन से नहीं है। यह जो अंदरूनी झगड़ा है इसको लेकर और शैड्यूल्ड कास्ट के लोगों में आग फूट पड़ी तो मेरे ख्याल में एक और देश आपको बनाना पड़ेगा, अगर उन्होंने अलग होने की ठान ली।

बुलन्द कर दी तो आप कुछ नहीं कर सकेंगे। परमात्मा की कोई जात नहीं है तो आत्मा की क्या हो सकती है, धरती की नहीं तो जर्रे की क्या हो सकती है, सूरज की नहीं तो किरण की क्या हो सकती है, समुद्र की नहीं तो कतरे की क्या हो सकती है ? इंसान की सिर्फ ढाई जात है। एक आदमी, एक औरत और बाकी जात छिछड़े की बाकी की सब फिजूल चीजें हैं। जिन शास्त्रों में वर्ण व्यवस्था की वकालत की गई है उनको बैन कर देना चाहिए, जिन से ब्राह्मण, वैश्य, क्षत्रिय और शूद्र, इस वर्ण व्यवस्था की वकालत की गई है उनको बैन कर देना चाहिए या उनको जला देना चाहिये। इसके बगैर जातपात को खत्म नहीं किया जा सकेगा। इनको पढ़ने वाले एक्साइटमैंट में जाते हैं और हरिजनों पर जुल्म करते हैं। क्षत्रियों और ब्राह्मणों की ज्यादती हर स्टेट में शूद्रों पर होती है। इनके खिलाफ सरकार को सख्त से सख्त कदम उठाने चाहिये और सख्त से सख्त सजा मुकर्रर करनी चाहिये। अनटचेबिलिटी प्रेक्टिस करने वालों को काले पानी की सजा दी जानी चाहिये। इसमें कोई बुरी बात नहीं है। ज्यादा से ज्यादा जुर्माने की व्यवस्था आप को करनी चाहिये। आप को यह भी प्रोवीजन करना चाहिये कि हर स्टेट का होम मिनिस्टर शैड्यूल्ड कास्ट हो। इन सब को आपने नहीं किया तो ये जुल्म हट नहीं सकेंगे, उनको इंसाफ मिल नहीं सकेगा।

शैड्यूल्ड कास्ट और पिछड़े वर्ग आज तक कांग्रेस के साथ रहे हैं। 1952 से लेकर आज तक के रिजल्ट्स को आप एसेस करेंगे तो आप इसी नतीजे पर पहुंचेंगे। अब आहिस्ता आहिस्ता दुखी होकर वे बाहर निकलने जा रहे हैं। श्री जगेश्वर मिश्र के साथ भी कुछ होंगे।

यू० पी० के इलैक्शन के बाद मैंने एक बात कही थी। यू० पी० इलैक्शन में जिस वक्त हमारा गवर्नमैंट जाता, तो मैंने इस हाउस में कहा था कि अपोजीशन को पता नहीं है शैड्यूल्ड कास्ट्स के लोगों ने गवर्नमैंट से वादा कर रखा है कि चाहे मारो या रखो चाहे दो या न दो, हम कांग्रेस को ही वोट देंगे और कांग्रेस गवर्नमैंट ने एश्योर कर रखा है कि हम तुम्हारे लिये कुछ नहीं करेंगे, चाहे कितना ही जुल्म और तशद्दुद होता रहे हम तुम्हारे लिये कुछ करने को तैयार नहीं।

25, 26 साल की आजादी के बाद आज देश में यह हालत है। मेरे पास एक फाइल है जिसमें गुजरात, यू० पी० और दूसरी स्टेट्स के वाक्यात मौजूद हैं, जिनसे पता चलता है कि इन लोगों पर कितने इंसानियत सोज जुल्म होते हैं। अनटचेबलिटी बरतने वाले लोग अगर इस सैकुलर स्टेट में दम मारते हैं तो यह गवर्नमैंट की कमजोरी इसका कारण है और उसकी वीकनेस का सबूत है। आज हरेक आदमी बराबर का हक मांगने के लिये तैयार है। इंटरनेशनल वीमन वर्ष चल रहा है, औरतों को बराबरी का हक दिया जा रहा है। लेकिन 22 करोड़ शैड्यूल्ड कास्टस और शैड्यूल्ड ट्राइब्स को पूरा हक देने के लिये कोई ऐसा कदम गवर्नमैंट की तरफ से नहीं उठाया गया।

मैंने कई बार मांग की है कि सेन्ट्रल गवर्नमैंट एक अलग मिनिस्ट्री कायम कर के वार-फुटिंग पर शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के लोगों की तकलीफों को दूर करे। जब तक ऐसा नहीं किया जायेगा, तब तक न अनटचेबलिटि को दूर किया जा सकेगा और न इनकी इकनामिक पोजीशन को बेहतर बनाया जा सकेगा और न ही ये लोग तरक्की कर सकेंगे। जैसे पार्लियामैंटरी अफेयर्स के मिनिस्टर से बात करिये, तो बात कुछ और होती है, क्योंकि कुछ और होता है।

श्री साधु राम

देश के इतने बड़े भाग के साथ नाइन्साफी करना, बहुत बड़ा जुल्म है। इन बेचारों का न दुकान न मकान, न जमीन और न सामान। भारत माता जिन्दाबाद का नारा लगा रहे हैं। इनको कुछ मिले या न मिले, वह लोग विश्वास पर जिन्दा है। मैं समझता हूं कि लोगों में जागृति आ गई है और गवर्नमेंट को इस तरफ पूरा ध्यान देना चाहिये, नहीं तो इस देश मे एक नया रैवोल्यूशन पैदा होने का इनकान हो सकता है। भूखे लोग उठेंगे और लड़ेंगे।

मैं आखिर मे यह कहूंगा कि हर स्टेट में एक सैल पुलिस के बड़े अफसर के नीचे कायम किया जाये। जब कोई ऐसा वाक्या हो तो वह खुद इन्क्वायरी पर जाये। सैंट्रल गवर्नमेंट मे भी होम-मिनिस्ट्री मे एक सैल कायम किया जाये, जो हरेक वाक्ये की मौके पर जाकर खुद इन्क्वायरी करे और केस को परम्यू करे और अपने खर्चे पर उस केस को लड़े। वह गरीब हरिजनो को न कहे कि तुमको मार दिया गया है, तुम केस लडो। उन बेचारों के पास कहां से इतना पैसा आयेगा कि वह केस को लड़े। जात-पात को मानने वाले अफसर सब ऊपर बैठे हैं, वह केस को खराब कर देते हैं। उनको मुकम्मिल तसल्ली बख्श इंसाफ नहीं मिलता है।

क्या गवर्नमेंट कोई ट्रिब्यूनल, स्पेशल जज मुकर्रर करने के लिये तैयार है ? अगर नहीं तो मैं समझता हूं कि गवर्नमेंट भी एक टालमटोल का बहाना कर रही है। यह जरूरी है कि स्टेट मे एक ट्रिब्यूनल या स्पेशल जज या कोई अफसर शैड्यूल्ड कास्टस के मामले मे मौके पर इन्क्वायरी करने के लिये मुकर्रर करना चाहिये। उनको लीगल एड मिलनी चाहिये, गवर्नमेंट की तरफ से उनके केस को लड़ा जाना चाहिये और उन पर जुल्म करने वालों को सख्त-से-सख्त सजा दिलानी चाहिये।

मैं आशा करता हूं कि गवर्नमेंट मेरे इन सुझावों को मंजूर करेगी और काफी दिलचस्पी लेकर सख्त कदम उठायेगी, ताकि उन-टचेबिलिटी दूर की जा सके, इस देश के माथे में इस कलंक को धोया जा सके और इंसान को इंसान के बराबर लाया जा सके।

एक कुत्ता गाय का मांस खाकर हिंदू भाई के किचन मे जा सकता है, बर्तनों को जबान से साफ कर सकता है, उससे तो वह भ्रष्ट नही होते, वह शुद्ध रहते हैं। लेकिन एक अन-टचेबल, जिसको शैडयूल्ड कास्ट कहा जाता है, जो इंसान है, जिसमे आत्मा मौजूद है, जो गंगा जाता है, सिर पर चोटी रखता है और हिन्दू कर्म करता है, वह उनको छू जाये तो उनका सारा जन्म भ्रष्ट हो जाता है। ऐसे लोगों को इस देश मे रहने के लिये जगह नही मिलनी चाहिये। अगर सैकुलर स्टेट को कायम रखना है, तो उनको सख्त सजा देनी होगी और इस डिस्क्रीमिनेशन को, इंसानियत के इस धब्बे को दूर करना होगा और इस जुल्म को बन्द करना होगा।

श्री सरजू पांडे (गाजीपुर)। सभापति महोदय, कल ही गृह मंत्री महोदय ने गाजीपुर जिले के शेरपुर की घटना का वर्णन सदन मे किया था। मैं खुद घटनास्थल पर गया हुआ था, सचमुच ऐसी हृदय-विदारक घटना मैंने अपने जीवन में कभी नहीं देखी।

हमारे पूर्वी उत्तरप्रदेश में, खासकर गाजीपुर, बलिया, आजमगढ़ और जौनपुर आदि जिलों में हरिजनों की जो दुर्दशा है, वह अकथनीय है और मैं समझता हूं कि सहज में इन समस्याओं का समाधान नहीं होगा, क्योंकि समस्या बहुत बड़ी है और वह सिर्फ अन-टचेबलिटी की या छूतछात की समस्या नहीं है। आपको जानकर

ताज्जुब होगा, मझे खुद भी आश्चर्य है कि इस देश में कोई सरकार है या नहीं। आज जनता का विश्वास उठता चला जा रहा है। उस गांव में रात के 12 बजे दो सवर्णों की हत्या हुई। रात को 12 बजे से लेकर सुबह 7 बजे तक एक भी पुलिस कर्मचारी मौके पर नहीं पहुंचा जबकि पुलिस की चौकी वहां मौजूद है और थाना भी डेढ़, दो किलो मीटर दूर है।

श्री ओम मेहता : 12 किलोमीटर है।

श्री सरजू पांडे : अगर पुलिस रात के 12 बजे की उस हत्या के बाद मौके पर पहुंच जाती तो न ये दो हरिजन जान से मारे जाते और न सारा गांव जलाया जाता मगर पुलिस ने इस बात का पूरा मौका दिया कि उन हत्याओं के बाद एजीटेशन हो। वे सभी लोग वहां इकट्ठे हुए। जिस समय वे हरिजनों को जान से मार रहे थे, उसमय पुलिस का एक अफसर वहां पहुंच चुका था और डैड बाडी के पास खड़ा था

इस तरह की घटनाएं आये दिन सारे देश में होती रहती हैं। आज हरिजन हमारे देश में दूसरे दर्जे के नागरिक माने जा रहे है। न उनकी सुनवाई अदालत में होती है, न थाने में होती है और न उनके प्रति लोगों का ठीक व्यवहार होता है। उनकी बहुत सी समस्याएं हैं, उनको आज भी मंदिर में नहीं जाने दिया जाता, कुओं पर पानी नहीं पीने दिया जाता। आज भी कई क्षेत्र ऐसे हैं जहां हरिजनों से गुलामों की तरह काम लिया जाता है।

आप जानकर ताज्जुब करेंगे कि हम लोगों के जिले में कुछ स्थान ऐसे है जहां पर हरिजनों को पूरे जीवन भर बन्धक रखा जाता है, उन पर कर्जा होने के कारण पूरे परिवार को खरीद लिया जाता है और थोड़ा मजदूरी देकर जानवरों की तरह उनसे काम लिया जाता है। यही वजह है कि बलियां में कोटवा नारायणपुर गांव में और हमारे इलाके के हरिजनों मे मुख्य रूप से सैंसशन और परेशानी पैदा हो गई है। वे समाज के वर्तमान हालात मे रहने के लिये तैयार नही हैं। मगर अफसोस इस बात का है कि हमारे संविधान में सरकार को जो जिम्मेदारी दी गई है, उसको यह नही निभा पा रही है।

हमारे संविधान मे यह बात कही गई है कि हरिजनों की मुख्य रूप से जिम्मेदारी केन्द्रीय सरकार की है। केन्द्रीय सरकार को चाहिये कि इस समस्या को हाथ मे ले। हमारे संविधान मे यह भी कहा गया है कि हरिजनों के लिये मुख्य रूप से अगर राज्य सरकारें काम नहीं करती है तो उनको केन्द्र से डायरेक्टिव दिया जा सकता है।

MR. CHAIRMAN: The hon. Member may continue his speech tomorrow. We will now take up Half-an-Hour discussion.

17.30 hrs.

HALF-AN-HOUR DISCUSSION

APPOINTMENT OF JUDGES OF SUPREME COURT AND HIGH COURTS

PROF MADHU DANDAVATE (Rajapur): Mr: Chairman, Sir, when Justice A. N. Ray was appointed the Chief Justice of India superseding three eminent Supreme Court Judges, a great debate commenced in the country and joining that great debate, Shri Jayaprash Narayan had issued a statement and he had made a constructive suggestion. At a later stage, he wrote a letter to the Prime Minister on 9th June 1973 and appealed to the Prime Minister that she should sup-

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port the appointment of a Parliamentary Committee consisting of representatives of all the parties in Parliament whose function will be to consult opinion including the opinion of eminent jurists in the country, the Bar and other important personalities and experts in the country and after that, recommend to Parliament well-defined norms and guidelines to be observed in the appointment of the Chief Justice and Judges of the Supreme Court as well as High Courts Sir, on the basis of that very constructive suggestion, I had asked an unstarred question No 165 on the 18th February 1975 and I tried to find out from the Government, what was the response of the Government to this constructive suggestion that was made by Shri Jayaprakash Narayan I knew the allargy of the Government for Shri Jayaprakash Narayan, and therefore, I did not mention the name of Shri Jayaprakash Narayan I only out forward the contents of that suggestion and I was rather shocked and surprised to find that the hon Minister had said that the existing practice evolved in accordance with the provisions in the Constitution had worked satisfactorily, and that theretore, the question of accepting the proposal did not arise at all Sir I would like to point out at the very outset that there have been certain honoured conventions in the country as far as the appointment of Chief Justice of India is concerned Sir, in 1950, the Supreme Court of India was established All the previous twelve appointments were no doubt in conformity with the principle of seniority that was adhered to. There was, of course, apparently one exception and that was of Justice Imam who was incapacitated by a paralytic stroke, and therefore, resigned the day Justice Gajendragadkar was appointed But, in the case of the other appointments, this principle of seniority was rigidly adhered to. Sir, in a federal set-up where there are regional, communal and linguistic tensions where there are political pressures exerted, I think, this principle of seniority is a sound principle that should have been adhered to. But, this particular principle was violated during the supersession of the Supreme Court Judges on the occasion of the appointment of Justice A N Ray as Chief Justice of the Supreme Court. Unfortunately, Government took shelter behind the recommendation of the Law Commission. I wish to point out to you, Sir, that the Law Commission's Report was quoted by the Government out of context. The Law Commission emphasised in its recommendations, on Pages 37 to 40 and pages 75 to 77 of Volume I of its Fourteenth Report on 'Reform of Judicial Administration', that succession to the office of the Chief Justice cannot be merely by seniority but a healthy convention can be established to appoint a suitable person -please note here the wordings, Sir and thereafter Government might act accordingly' Again, the Law Commission's Report emphasised that if the senior most puisne judge fulfils the requisites, there is no objection to his being appointed to fill up the post. The Law Commission s Report which was quoted by the Government on the occasion of the supersession, remained completely neglected for long 15 years They did not remember the Law Commission's recommendation at all, and sufficiently before the appointment of the new Chief Justice of the Supreme Court, they did not tell the country, they have accepted this recommendation of the Law Commission and that henceforward, the seniority principle would not be accepted, as the sole principle Sir, I am not one of those who would always insist that seniority alone is the sale criterion and the sole norm for appointment. But, in the absence of any other norm, it is better that the seniority principle is adhered to and if this particular principle had to be set aside, the country should have been taken into confidence so that even those who were superseded would not have felt that there was any animus against them and that as a result of that, the supersession had taken place.

I have not only quoted the Law Commission's Report but I will quote what Shri Seervai had written—probably the Hon. Minister would feel embarrassed by it—in his monumental book Constitutional Law of India. On page 1009 he says:

> "The provisions for the appintment of the Chief Justice of the Supreme Court and the Chief Justices of the High Courts do not call for any discussion since by convention the seniormost judge is appointed Chief Justice. The convention is based on the view that on the whole the interests of judicial administration are better served by eliminating the exercise of discretionary power in the appointing authorities than b the search or the best man".

Shri Seervai is not consided a retrograde or right reactionary; in modern parlance he is an eminent jurist and this is his viewpoint. There is the danger of political patronage and pressure being applied. There is suspicion that appointments are based on favouritism and patronage. If that is so it would undermine the independence of the judiciary and the judiciary would get denigrated.

I would just like to quote a few instances. When the supersession of the Judges took place and Justice A. N. Ray was appointed as the Chief Justice, suspicions were expressed in certain quarters that probably Justice Hegde's claim was set aside because in the famous election petition case against the Prime Minister, he issued an interlocutory order in which he had made certain remarks which were damaging to the Prime Minister. Many people felt on that occasion that this was one of the factors that might have created an animus against Justice Hegde and as a result his claim might have been set aside.

I would quote another precedent as far as the High Courts are concerned, because the subject matter of the discussion does not relate only to judges of the Supreme Court but also relates to appointment of judges and also the Chief Justices of High Courts. I would quote one significant illustration in the case of Punjab and Haryana. Punjab and Haryana have a famous High Court. Shri Mahajan was Chief Justice from April 1974 to May 10, 1974. After him, the next seniormost person was Justice P. C. Pandit. His was the legitimate claim in term of the seniority principle, but because Shri Pandit and the Chief Minister of Haryana, Shri Bansi Lal, were not on good terms—in fact, there was almost enmity between the two—it was suspected by the entire legal fraternity of Punjab and Haryana and by all legal luminaries that the supersession of Justice P. C. Pandit and the appointment of Shri Narula, who was a comparatively junior judge, was motivated by political considerations. On the day the supersession took place, there was a total strike of lawyers in Punjab and Haryana. This is another instance which shown that sometimes political pressures and patronage completely destroy the independent character of the judiciary.

Now, I will quote a very happy instance. All of us should be proud about it; I am sure our friend, Shri Gokhale, would also be proud of it. On the occasion of the election of the President of India, on behalf of the Opposition parties I went to a Justice Hidayatullah. We wanted to ask him whether he would be prepared to be the Opposition candidate for the residential office, He modestly declined the offer, and at the same time, he told us about a very valuable experience which, I think, will heighten the glory of free judiciary in the country. Justice Hidayatullah told me on that occasion:

> "When I was sitting on the Bench, the Chief Minister of Maharashtra, Mr. V. P. Naik, approached me and said that after my retirement, he would offer me the highest post of Lokayukta in Maharashtra. He told me, 'this is the highest post in our State and we would like it to be offered to you' "

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Justice Hidayatulla then told the former Chief Minister, Shri V. P. Naik:

> "Even when I was functioning as a judge, I had made up my mind that when I retire I would not accept any patronage from Government because if I decided to accept any job or post from Government, even while sitting on the Bench before retirement I would always keep my eye on the job I am likely to get after my retirement".

Hats off to this great judge who has maintained the high traditions of judiciary in this country. We would like that to be continued. If seniority is rejected and well-defined norms are not accepted, it is very likely that political pressures and elements of patronage would be introduced while appointing judges. It would not be relevent to point out that members of the Law Commission like Mr. M. C. Setalvad, former Attorney General and Justice Chagla have also condemned the supersession of judges

On 24th June 1973, a very interesting news item appeared in the *Sunday Standard* given by UNI:

> "Law Commission Member Justice V. R. Krishna Iyer, who is a Judge of the Kerala High Court, is to be appointed a Judge of Supreme Court soon. Disclosing this to newsmen have today, Kerala Chief Minister, Shri C. Achuta Menon said that the Union Government had sought the concurrence of the State Governor and the Chief Justice of the Kerala High Court in this matter."

Mr. Menon's disclosure was highly objectionable since it was improper on his part to anticipate the concurrence of the Chief Justice of the High Court Even before receiving the concurrence of the Chief Justice of the High Court this Communist Chief Minister supported by the Congress, had the termarity to announce to the press that he was likely to be appointed. When all the norms are fleuted, these are the things that will take place.

In the book *Supersession of Judges* by Kuldip Nair, on page 32, a very intersting foot-note is there:

> "At the oath-taking ceremony, Shri Kumaramangalam went to Justice Ray and told him jocularly "Such posts are a reward for political services rendered". Justice Ray replied: "I do not recall rendering any political service to anybody except to truth and justice."

Of course, Shri Kumaramangalam said it with a sense of humour, but I am more happy at the reply given by Justice Ray.

Justice Hidayatullah himself made a very interesting comment after supersession. He said, if supersession takes place at this speed and in this manner, we will have the category of judges in the country who will not be "forward looking" but who will be "looking forward". Since the Government is the biggest litigant, probably many judges would be keeping their eye on the jobs that Government is likely to offer and as a result, the very institution of a free judiciary will be completely destroyed.

What Shri Jayaprakash Narayan has suggested in a very constructive manner is the correct type of approach. Even the mention of his name evokes laughter in some people, but he has made a very constructive proposal. Even he does not say that seniority is the only principle. Even if you want to review seniority, do it, but some concrete principle has to be evolved so that the people and the judicial fraternity in the country have the confidence that all the appointments are not made in an arbitrary way but are made on the basis of well-defined guidelines announced sufficiently in advance, so that nobody will have any suspicions. Even after a parliamentary committee evolves well-defined norms and guidelines for the appointment of the Judges and Chief Justice of the Supreme Court as well as the High Courts, I would like the House to give thought to this

whether it will not be desirable to have one more safety valve, namely, that even when the appointments of judges are made on the basis of certain principles, it is better that these decisions are ultimately ratified by Parliament.

If these appointments are to be ratified by the Parliament, in that case, it may be possible that as a result of the debates and discussions that take place, those debates and discussions will act as a deterrent against those who want to introduce the elements of patronage, political pressure and manipulation. If this is eliminated, in that case the glory of free judiciary in the country can be restored and with that perspective I initiated this discussion. I hope and trust, the hon. Minister of Law who himself comes from the fraternity of judges, will be able to offer some constructive solutions to the problem that we have posed and he will not treat the entire problem merely in a partisan way. Thank you.

MR. CHAIRMAN: Shri K. M. Madhukar.

SHRI MADHU LIMAYE (Banka):**

MR. CHAIRMAN: Nothing will go on record except what Shri K. M. Madhukar says.

श्री कमला मिश्र मधुकर (केसरिया) : सभापति महोदय, हमारे विद्वान माननीय सदस्य दण्डवते जी ने सीनियर सोशिलिज्म की बात कही है और जय प्रकाश नारायण के शून्यवाद, टोटल रेवोल्यूशन की बात भी उस प्रसंग में ला दी है.....

सभापति महोदय : आप केवल प्रश्न पूछिए, भाषण मत कीजिए।

श्री कमला मिश्र 'मधुकर' : मैं प्रश्न ही पूछ रहा हूं। मैं यह कह रहा हूं कि हाई कोर्ट और सुप्रीम कोर्ट के जजेज जो हुए हैं वह यह बताते हैं कि हमारी जूडिशियरी जो देश का रुख है, देश की जो आवश्यकता है उसके अनुरूप नहीं चल रही है और इस लिए वह हार्ड टाईम अपने देश के लिए क्यों नहीं इस बात पर विचार किया जाय कि जब समाजवाद का लक्ष्य आप ने रखा है तो जैसे समाजवादी मुल्कों में सुप्रीम कोर्ट के जजेज का या जूडिशियरी का सिस्टम चलता है उस ढंग से उसी सिस्टम को अपने यहां भी एलाऊ किया जा सकता है या नहीं ? अगर एलाऊ किया जा सकता है तो क्या सरकार इस बात के लिए कोई विशेषज्ञ कमेटी समाजवादी देशों का भेज रही है जिस के जरिए इस बात की जांच पड़ताल की जाय कि उन देशों का सिस्टम अपने देश के लिए कितना उपयुक्त है कितना अनुपयुक्त है ?

साथ ही क्या यह बात भी सही है कि सरकार का इस बात की जानकारी मिल चुकी है कि जो सामाजिक लक्ष्य हैं देश का उसकी पूर्ति करने में विभिन्न स्तरों पर आज हमारी जूडिशियरी बाधक हो रही है ? उदाहरण स्मग्लरों का छोड़ने के सिलसिले में आप का मिल चुका है। तो क्या ऐसी बात नहीं हो सकती है कि न्यायापालिका के लोगों का भी और सुप्रीम कोर्ट के लोगों का भी चुनाव ही हो ? जब दण्डवते जी कह रहे हैं कि व्यापक रूप रखा जाय तो सबसे व्यापक रूप मैं रख रहा हूं कि चुनाव ही इनका क्यों न हो ?

दूसरी बात—न्याय पालिका की स्वतंत्रता का अर्थ यह होता है कि जो सामाजिक लक्ष्य है देश का उसके विपरीत फैसले दिए जाएं और उसका हनन किया जाय ? क्या यही इसका मतलब होता है ? हम चाहते हैं कि माननीय मंत्री जी हमको समझाएं कि इस

**Not Recorded.

[श्री कमला मिश्र 'मधुकर']

स्वतंत्रता का अर्थ क्या यही होता है कि जो देश के लक्ष्य हैं जिनकी ओर देश बढ़ना चाहता है उस में ये जज लोग बाधक हों ?

श्री मलचन्द डागा (पाली) : सभापति जी, जब श्री ए० एन० रे की एप्वाइन्टमेंट के बाद हुए कुछ बुद्धि जीवी लोगों ने रिट पटीशन की और कहा कि यह एप्वाइन्टमेंट गलत किया गया है, कानून के खिलाफ किया है, उसका क्या परिणाम निकला ? इन लोगों के द्वारा जो बहुत बढ़ा-चढ़ा कर बातें कहीं गयी, जिस पर यहां इस सदन में घण्टों चर्चा हुई, काफी खर्चा हुआ, उसके बाद यह माना गया कि गवर्नमेन्ट ने जो कदम उठाया है, वह ठीक उठाया है—क्या यह बात सही है ?

दूसरा सवाल—अभी दण्डवते जी आर्ग्युमेन्टस कर रहे थे—मैं जानना चाहता हूं कि जब ला कमीशन ने अपनी रिपोर्ट दे दी और यह बतलाया कि सीनियारिटी के आधार पर एप्वाइन्टमेन्ट नहीं होना चाहिये, उसकी पिछली सेवाओं, उसके निर्णय, उसकी सूझ-बूझ और दृष्टिकोण वह जो भाषण देता है—इन सारी बातों को ध्यान में रख कर चीफ़ जस्टिस का एप्वाइन्टमेन्ट होना चाहिये—क्या आज भी वही प्रोसीजर लागू है या नहीं ? जब भी चीफ़ जस्टिस का एप्वाइन्टमेंन्ट होता है तो क्या उसके पिछले जजमेन्टस का देखा जाता है, उसके तरह-तरह के भाषणों का देखा जाता है—इन सब बातों का देखने के बाद एप्वाइन्टमेन्ट किया जाता है या वह तरीका ठीक है जो इन्होंने बतलाया है कि पार्लियामेन्ट्री कमेटी बने ? क्या आपके सामने किसी पार्टी ने कोई ऐसा प्रोसीजर ले-डाउन किया है जिसको आपने एप्रीशियेट किया हो कि उस प्रोसीजर के आधार पर चीफ़ जस्टिस या हाईकोर्ट के चीफ़ जस्टिस का एप्वाइन्टमेन्ट हो ।

तीसरी बात—अगर कहीं चीफ़ जस्टिस की सेवायें खत्म हो जाती हैं और देश को उनकी सेवाओं की जरूरत हो तो क्या उन्हें रीएम्पलायमेंट में लिया जायगा, उनको सर्विस में दोबारा लगाने में क्या दिक्कत है ।

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman, Sir, I am very glad this Half an Hour Discussion takes place today, because the subject under discussion is very vital and very topical, and I must congratulate my good friend, Professor Dandavate, for raising this question. As Henry Sidgwick has said, the place of judiciary in the scheme of things is more profound than prominent; because, the impact the judges make on the democratic polity is so great that whatever they do has a direct and indirect bearing on the lives of the people, their rights, their liberties and so on. Therefore, it is important that judges of the Supreme Court and of the High Courts in our country are upright, independent and impartial, because these judges are the custodians of our rights. And, indeed, when it is a matter of a written Constitution, as we have in this country because we are a federation, then under the written Constitution, the judges act quite often as the guardian angels, because it is they who really protect the fundamental rights of the citizens, as enshrined in the written Constitution.

Take the example of the United States, where they have a written Constitution and where the judges are appointed by the President. There one of the judges has said "We are guided by the Constitution, but the Constitution is what we judges make it". Therefore, when it comes to the integrity and sovereignty becomes of the written constitution, the role of the judges very very important. Sir, you will remember and the Minister and the House will remember that President Nixon during his presidency has had the opportunity of appointing

as many as, I believe, four judges, during his term of office to the Supreme Court of the United States. Though these appointments were made in a particular climate, the conventions in the judiciary were such that when it came to the question of indictment of President Nixon those very four judges were part and parcel of the entire judiciary and passed strictures and judgments against President Nixon and ultimately he had to resign.

Therefore, I want to ask the Minister whether the answer he has given is really the answer that he honestly believes to be true. The proposal in the question was:

> "for obtaining opinion including opinion of the Bar and eminent jurists to recommend..."

The answer says:

> "No Sir. The existing practice evolved in accordance with the provisions of the Constitution has worked satisfactorily."

How can Government be judges in their own case whether the appointments made by them so far are satisfactory or not?

Is it not a fact that today, one or two persons only decide the appointments of the judges of the Supreme Court? Is it not true that all kinds of abuse of power may, therefore, take place? When power gets concentrated in the hands of one or two, is it not dangerous, and more particularly when the Prime Minister appoints the Chief Justice and then says that she has consulted the Chief Justice? Will not leaving the prerogative of deciding the appointments of judges to one or two persons lead to the loss of health of democracy?

Therefore, is it not desirable to have some kind of reform, some urgent review of the existing practice? For example, will it not be more helpful if a Committee consisting of three people from the Government side and three from the judicial side make these appointments so that checks and counter checks can work effectively? I understand that in some States of our country there is already some kind of an unwritten but well-established convention by which the Chief Justice of the particular High Court does consult two of his seniormost colleagues with regard to the selection of judges in that court. It only means that if, instead of one man deciding, more than one decides, it becomes better because then there is less concentration of power.

PROF. MADHU DANDAVATE: The Law Commission has actually recommended it.

SHRI P. G. MAVALANKAR: Therefore, an urgent review of the appointment of the judges is absolutely essential in the interests of the health of democracy and the fundamental rights of the citizens of this country whose rights are ultimately to be protected by an independent, upright, honest judiciary having impartiality and integrity.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): The discussion so far gave the impression, which I think is wrong, that the judiciary today is not independent. Actually, even after the appointment of Chief Justice Ray, of which so much was made, the Supreme Court as well as the High Courts have given a large number of judgements which show that the judiciary is as independent as it ever was before. It is not right to say, as Mr. Mavalankar said, if I understood him correctly, that it is in the hands of one person, either the Prime Minister or some other person, to make these appointments. It is not so. The practice which has been obtaining for the last 25 years and even before under a Government of India Act under slightly different conditions is in existence today, and hon. Members know that article 124 in respect of Supreme Court judges and article 217

[Shri H. R Gophale]

in respect of High Court judges are the two articles which govern the appointment of judges and Chief Justices of the High Courts and the Supreme Court.. On a mere reading of these articles it will be quite clear that no one person can make an appointment either of the High Court judges or of the Supreme Court judges There is a built-in obligation to consult at various levels before an appointment is made.

16.00 hrs

In the case of appointment of a judge of the Supreme Court, there is an obligation to consult the Chief Justice of India In the case of appointment of judges of the High Court, there is an obligation to consult the Chief Justice of the High Court, the Governor of the State, the Chief Justice of India, and then the Government of India recommends and appointment is made by the President.

There are no instances, as far as I know, in tht Supreme Court, where an appointment has been made not only without consulting the Chief Justice of India, but against his advice. And this is not only after the appointment of Chief Justice Ray but has been so even before. Till now, all appointments have been made on the advice of the Chief Justice in the Supreme Court, and all appointments in the High Court are made in consultation with the Chief Justice of the High Court concerned, in consultation with the Government of the State, as the Constitution indeed requires, and in consultation with the Chief Justice of India, and finally by the President on the advice of the Government of India. All appointments are made after these elaborate built-in restrictions are strictly adhered to Therefore, it is not right to say.... (*Interruptions*).

There was no such constitutional obligation in respect of appointment of the Chief Justice of India, and unfortunately, the hon. Member came after the speech of Prof. Madhu Dandavate.

All these things have been raised. I am going to refer to it.

SHRI SHYAMNANDAN MISHRA (Begusarai). You want to say that you are strictly adhering to the Constitution.

MR. CHAIRMAN: He has no right to ask questions.

SHRI H R. GOKHALE All right I will not reply I am sorry that I have replied You have given the ruling earlier that no one should ask questions.

There was a petition in the High Court, Mr. Daga asked, challenging the appointment of the Chief Justice of India in which this point and other points were raised, and every one knows that the petition was dismissed by the High Court and there is an appeal pending in the Supreme Court and in course of time it will decide.

Sir, an attempt is made again to raise the whole discussion on the appointment of the present Chief Justice. This matter has been discussed at length in this House, in the other House, and if I recall, and I think I am right, this House had overwhelmingly supported the action which the Government had taken.

(*Interruptions*).

SHRI P. G. MAVALANKAR: No.

(*Interruptions*).

SHRI H. R. GOKHALE: Of course, you are not the House. This House had overwhelmingly supported it.

(*Interruptions*).

PROF. MADHU DANDAVATE: ... (*Interruptions*). There will be darkness....

(*Interruptions*)

MR. H. R. GOKHALE: All light is on that side and there is darkness on this side! That is the presumption.

SHRI SHYAMNANDAN MISHRA: Constitutional obligation does not lead to.... (*Interruptions*)

SHRI H. R. GOKHALE: As far as constitutional obligation is concerned, it means that so far as this House is concrned, all decisions are taken by a majority, as far as possible, by consensus; if not by consensus by a majority. That is the constitutional obligation.

(*Interruptions*)

SHRI SHYAMNANDAN MISHRA: By a majority which is a simple majority?

(*Interruptions*).

SHRI H. R. GOKHALE: Excepting in the case of constitutional amendment where also it is a majority, although special majority, it is a majority and nothing else.

Sir, I do not know what transpired between Mr. Nayar and Mr. Hidayatullah in their private conversation, and I do not wish to comment on that.

(*Interruptions*)

PROF. MADHU DANDAVATE: Are you not proud of the comment....

(*Interruptions*)

SHRI H. R. GOKHALE: I am proud of the fact that it is not looking forward to anything afterwards. I am sure it does not apply only to Chief Justice Hidyatullah; it applies to all other judges. Therefore, it is not necessary to single out Hidyatullah for that purpose.

Sir, there is a reference made to some observations regarding this and what transpired between late Mr Kumaramangalam and the present Chief Justice Ray. I am sorry that Mr. Kuldip Nayar has referred to this after Mr. Kumaramangalam 's death, who was not there to confirm or contradict this. But I can say this because I have read the book, and there are so many things which are said about me and about other developments at that time. And the least that I can say is that the narration of events contained in Mr. Kuldip Nayar's book is by no means all accurate. I can definitely say because he has referred to so many things, which, to my knowledge, did not happen particularly, when they refer to my participation in certain parts of the controversy. References to those acts of omissions on the part of the Law Minister are not at all accurate.

PROF. MADHU DANDAVATE: Chief Justice Ray has not contradicted.

SHRI H. R GOKHALE: Chief Justice Ray, rightly, replied at that time, "I only believe in justice and truth." It is right that he does not enter into a controversy by denying reports made by a journalist or reports appearing in the press. It is a very wise policy that he has not contradicted by going to the press, I am proud of the fact that Chief Justice Ray has not entered into the controversy.

It is said that appointments are made by favouritism and patronage It is absolutely incorrect. The practice is that all proposals for appointment of High Court judges are initiated by the Chief Justice of the High Court. We from here do not initiate the names. We do not propose any names.... (*Interruptions*). The Chief Justice's appointment is made by the President.... (*Interruptions*). The constitutioanl obligations have been fully followed as it appears from the fact that the writ application has been dismissed and only an appeal has been pending.

Coming to the suggestion made by the hon. Member with regard to the appointment of a Committee, it is not possible to accept the suggestion This and many other alternatives were discussed in the Constituent Assembly. One of the alternatives was, precisely,—not a Committee,—bringing it before the House and doing it by two-thirds majority. I have got an extract from the speech of Dr. Ambedkar. He rejected all the three alternatives on valid grounds. The constituent Assembly also rejected all the three alternatives....

PROF. MADHU DANDAVATE. Is it because the suggestion has been made by J P. that it is not acceptable to you?

SHRI H. R. GOKHALE: The hon Member is obsessed by a belief that we are allergic to J P's name We are not, I did not even refer to J. P.'s name I have got great respect for him personally All suggestions made by him may not be acceptable. Some of them may be acceptable; some of them may not be acceptable. It is not necessary to bring his name in this controversy. I am considering the matter as it has come from the hon. Member during this Half-An-Hour discussion that he initiated. For the very good reasons which Dr. Ambedkar had given in the Constituent Assembly and which applied to the matter being brought before the House—with greater force, they apply to the appointment of the Committee—I cannot accept this suggestion.

Under the circumstances, I am afraid, the Government will not be able to accept the suggestion made by the hon. Member, I stick to the answer that I had given that the present procedure is very satisfactory and it is working satisfactorily for the last 25 years or even more.

18.08 hrs.

The Lok Sabha then adjourned till Elven of the Clock on Wednesday, May 7, 1975/Vaisakha 17, 1897 (Saka)

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